THE LEGISLATIVE COUNCIL OF THE GOVERNOR OF MADRAS.

Monday, the 12th August 1929.

The House met at 11 o'clock, Mr. President (the hon. Rao Bahadur C. V. S. NARASIMHA RAJU Garu) in the Chair.

PRESENT:

Usman Sahib Bahadur, *Kt.*, The hon. Khan Bahadur Sir Muhammad.
Moir, K.C.I.E., C.S.I., I.C.S., The hon. Sir Thomas.
Krishnan Nayar, The hon. Diwan Bahadur M.
Campbell, C.S.I., C.I.E., O.B.E., V.D., I.C.S., The hon. Mr. A. Y. G.
Subbarayan, The hon. Dr. P.
Muthiah Mudaliyar, The hon. Mr. S.
Seturatnam Ayyar, The hon. Mr. M. R.
Abdul Hameed Khan Sahib Bahadur.
Abdul Razack Sahib Bahadur, Khan Bahadur S. K.
Abdul Wahab Sahib Bahadur, Munshi.
Adinarayana Chettiyar, Mr. T.
Anjaneyulu, Mr. P.
Appavu Chettiyar, Mr. C. D.
Ari Gowder, Mr. H. B.
Arogyaswami Mudaliyar, Diwan Bahadur R. N.
Arpudaswami Udayar, Mr. S.
Basheer Ahmad Sayeed Sahib Bahadur.
Bhanoji Rao, Mr. A. V.
Bheemayya, Mr. J.
Biswanath Das Mahasayo, Sriman.
Chidambaranatha Mudaliyar, Mr. T. K.
Cotterell, C.I.E., I.C.S., Mr. C. B.
Dorai Raja, Mr. S. N.
Ellappa Chettiyar, Rao Bahadur S.
Ethirajulu Nayudu, Diwan Bahadur P. C.
Foulkes, Mr. R.
Gangadhara Siva, Mr. M. V.
Gnanavaram Pillai, Mr. P. J.
Gopala Menon, Mr. C.
Govindaraja Mudaliyar, Mr. C. S.
Gray, O.B.E., I.C.S., Mr. J.
Harisarvottama Rao, Mr. G.
Hearson, Mr. H. F. P.
Hilton Brown, I.C.S., Mr.
James, Mr. F. E.
John, Mr. V. Ch.
Kaleswara Rao, Mr. A.
Karant, Mr. K. R.
Kesava Pillai, C.I.E., Diwan Bahadur P.
Khadir Mohidin Sahib Bahadur, Muhammad.
Koti Reddi, Mr. K.
Krishnan, Mr. K.
Krishnaswami Ayyar, Mr. Alladi.
Krishnaswami Nayakar, Mr. K. V.
Kuppuswami, Mr. J.
Leach, I.C.S., Mr. A. G.
Leech, Mr. A. J.
Maharaja of Jeypore.
Maharaja of Venkatagiri, K.C.I.E.
Mahmud Schamnad Sahib Bahadur.
Mallayya, Dr. B. S.
Manikkavelu Nayakar, Mr. M. A.
Moidoo Sahib Bahadur, Khan Sahib T. M.
Muniswami Nayudu, Rao Bahadur B.
Muniswami Pillai, Mr. V. I.
Murugappa Chettiyar, Diwan Bahadur A. M. M.
Muthulakshmi Reddi, Dr. (Mrs.) S.
Muthuranga Mudaliyar, Mr. C. N.
Nagan Gowda, Mr. R.
Nanjappa Bahadur, Subadar-Major S. A.
Narayana Raju, Mr. D.
Narayana Rao, Mr. Mothay.
Narayanaswami Pillai, Mr. T. M.
Obi Reddi, Mr. C.
Parthasarathi Ayyangar, Mr. C. R.
Patro, *Kt.*, Rao Bahadur Sir A. P.
Premayya, Mr. G. R.
Raja of Kallikota.
Rajan, Mr. P. T.
Ramachandra Reddi, Mr. B.
Ramamurthi, I.C.S. Mr. S. V.
Ramasomayajulu, Mr. C.
Ramjee Rao, Mr. V.
Ranganatha Mudaliyar, Mr. A.
Ratnasabapathi Mudaliyar, Rao Bahadur C. S.
Robertson, Mr. R. J. C.
Saldanha, Mr. J. A.
Sami Venkatachalam Chetti, Mr.
Sarabha Reddi, Mr. K.
Satyamurti, Mr. S.
Shetty, Mr. A. B.
Siva Raj, Mr. N.
Sivasubrahmanya Ayyar, Mr. K. S.
Soundarapandian, Mr. W. P. A.
Srinivasan, Rao Sahib R.
Subrahmanya Moopanar, Mr. S.
Swami, Mr. K. V. R.
Tajudin Sahib Bahadur, Syed.
Tulasiram, Mr. L. K.
Uppi Sahib Bahadur, K.
Venkatapathi Raju, Mr. P. C.
Venkatarama Ayyar, Mr. K. R.
Venkataramana Ayyangar, Mr. C. V.
Venkatarangam Nayudu, Mr. C.
Venkiah, Mr. S.
Watson, I.C.S., Mr. H. A.
Wood, Mr. C. E.
Zamindar of Seithur.
Zamindar of Singampatti.

I

QUESTIONS AND ANSWERS.

STARRED QUESTIONS

Depressed Classes

Amelioration of the condition of depressed classes working in plantations.

*352 Q.—Mr. A. B Shetty : Will the hon. the Home Member be pleased to state—

(a) whether the Government have at any time received any report from the Labour Officer in South Kanara regarding the large number of Adi-Dravida men, women and children who go to work in the coffee plantations of Coorg and Mysore and the ways in which they suffer from malaria and become indebted to the recruiting agents;

(b) whether it is a fact that the Adi-Dravida population in South Kanara is becoming reduced in numbers and if so, what it is due to; and

(c) whether the Labour Department is doing anything to ameliorate the condition of these people who suffer physically and economically by going to the ghats for work?

A.—(a) & (c) In the Administration Report of the Labour Department for 1927–28 it is stated that a large number of Adi-Dravidas in the district go to the plantations every year. The Government have received no report that they suffer from malaria or fall into debt.

(b) The Government have no information.

Mr. A. B. Shetty :—"May I know, Sir, whether the Government will call for information regarding the condition of the Adi-Dravidas who go to these plantations, with reference to clause (b) of my question?"

The hon. Khan Bahadur Sir Muhammad Usman Sahib Bahadur :—"The suggestion of the hon. Member will be considered."

Public Service

Improvement in pay and prospects in various departments.

*353 Q.—Sriman Biswanath Das Mahasayo : Will the hon. the Member for Revenue be pleased to state—

(a) the improvement in pay or prospects or both that has been effected since 1st April 1929 with the names of the departments and the cadres of service in which such improvement has been newly effected; and

(b) the financial effects of the improvement?

A.—(a) & (b) A statement is appended.[a] The statement does not include isolated posts created or small additions to the cadres of an existing service on the sanctioned scales of pay not materially affecting the pay or prospects of the services as a whole.

Mr. G. Harisarvottama Rao :—"May I know, Sir, the reason why in the case of the police sergeants there is such an addition to the number and the pay has enormously increased as shown in the appendix?"

The hon. Mr. A. Y. G. Campbell :—"The question should be addressed to the hon. the Home Member, Sir."

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[a] Printed as Appendix I on pages 672–674 infra.

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Industries

Admission and training of apprentices in the Kerala Soap Factory.

* 354 *Q.*—Mr. J. A. Saldanha: Will the hon. the Minister for Development be pleased to place before the Council—

(i) the rules laying down the conditions under which apprentices are admitted and trained in the Kerala Soap Factory and other Government industries in the Presidency; and

(ii) a statement of the number and names with religion, caste and qualifications of all apprentices admitted and trained in the several Government industries during the years 1927–28, 1928–29 and 1929–30, also showing how the passed apprentices are employed?

A.—(i) The rules laying down the conditions under which apprentices are admitted and trained in the Kerala Soap Institute and the Government Industrial Institute (Ink Factory), Madras, ar appended.[a] It may be mentioned that manufacture of writing inks at the Government Industrial Institute has since been stopped. As regards the Kerala Soap Institute, attention of the hon. Member is also invited to the answer to question No. 1341 given on 1st February 1929. No rules have been framed for the admission of apprentices for training in the Research station at Tanur and in the Government Cannery at Chaliyam.

(ii) A statement in respect of the Kerala Soap Institute and the Government Industrial Institute (Ink Factory), Madras, is appended.[a] No apprentices were trained in the Cannery during 1927–28 or in subsequent years as it has not been working during that period. As regards the Research station at Tanur, one Mr. K. C. Kesava Pillai of Travancore State service underwent training for three months in 1927–28. He is a non-Brahman caste Hindu. There is no information about his qualifications or his present employment, but it is presumed that he is still employed in Travancore Government service. No one came forward for training in 1928–29. For 1929–30 it is reported that a candidate has been deputed by the Government of Bihar and Orissa for training and that he is expected to arrive shortly.

Mr. J. A. Saldanha:—"May I know the reason why no rules have been framed for the training of apprentices in the Research station at Tanur?"

The hon. Mr. M. R. Seturatnam Ayyar:—"I don't know."

Mr. G. Harisarvottama Rao:—"May I know whether there is any provision for the exemption of poor students from payment of the fees?"

The hon. Mr. M. R. Seturatnam Ayyar:—"I don't know."

Mr. G. Harisarvottama Rao:—"May I know, Sir, if the hon. the Minister will consider the matter?"

The hon. Mr. M. R. Seturatnam Ayyar:—"Yes, Sir, I shall consider the matter."

[a] Printed as Appendix II on pages 675–677 infra.

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Working of the Industrial Schools at Calicut, Mangalore and Bellary.

* 355 Q.—Mr. A. B. Shetty: Will the hon. the Minister for Development be pleased to state—

(a) whether the Industrial Schools at Calicut, Mangalore and Bellary have commenced working;

(b) whether it is a fact that in these schools, while stipends and wages are paid to apprentices undergoing training in cabinet-making, blacksmithy, etc., a fee of Rs. 12 per mensem is charged in the case of pupils undergoing training in motor-driving;

(c) whether, in view of the short period of training for motor-driving and the fact that mostly poor young men are taking up this course, the Government are considering the desirability of giving free tuition or of reducing the fees?

A.—(a) Yes.

(b) The attention of the hon. Member is invited to paragraph 5 of G.O. No. 691, Development, dated 12th April 1929, which has been placed at the disposal of the Press.

(c) They have no such proposal under consideration.

Floods

Prevention of floods in the Thandava river.

* 356 Q.—Mr. C. Ramasomayajulu: Will the hon. the Member for Revenue be pleased to state with reference to the answer given to question No. 1711 on 12th March 1929—

(a) whether the report of the Chief Engineer referred to in answer to clause (e) has been received;

(b) if so, whether any, and if so, what action was taken by the Government thereupon; and

(c) whether the report and any orders passed thereon would be placed upon the table?

A.—(a) & (b) The report has been received and is under consideration.

(c) The question will be considered.

Mr. C. Ramasomayajulu:—"May I know if the report of the Chief Engineer will be placed on the table?"

The hon. Mr. A. Y. G. Campbell:—"I have said that the suggestion will be considered."

Political Detenues

Internment of Deo Brothers at Bellary.

* 357 Q.—Mr. K. V. R. Swami: Will the hon. the Member for Revenue be pleased to state—

(a) the reason why the Deo Brothers are still interned at Bellary after a lapse of about a year since the agreement between them and the Maharaja of Jeypore, dated 8th July 1928;

(b) the amount of allowance that Government have to pay every month to the Deo Brothers;

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(c) whether a number of representations were received from the Deo Brothers either by the Government or the Collector of Bellary or the Collector of Vizagapatam after the date of the said agreement up to 30th June 1929; and

(d) whether they have seen the report of Mr. Kudva, I.C.S., Special Assistant Agent, Parvatipuram division, regarding the affairs of Kalyanasingapore while he was in charge of the said division?

A.—(a) The attention of the hon. Member is invited to the answer given to clause (a) of question No. 362 asked at the meeting of the Legislative Council on the 27th August 1927. The reasons given in that answer still hold good. The agreement referred to was a private one. An essential prior condition is a complete settlement in Kalyanasingapore. This stage of a complete settlement has not been reached.

(b) The attention of the hon. Member is invited to the answer given to clause (d) of the question referred to above.

(c) Three petitions have been received by the Government within the period indicated. The Government have no information as to the petitions received by the Collectors of Bellary and Vizagapatam.

(d) No.

Mr. D. NARAYANA RAJU :—"May I know when the Government expect that the affairs in Kalyanasingapore will be settled?"

The hon. Mr. A. Y. G. CAMPBELL :—"I am afraid, Sir, it will not be possible for me to say when they will be settled."

Mr. D. NARAYANA RAJU :—"May I know when the Government received the last report with regard to the affairs in Kalyanasingapore?"

The hon. Mr. A. Y. G. CAMPBELL :—"Quite recently, within the last few days."

Mr. T. ADINARAYANA CHETTIYAR :—"May I know what steps the Government have taken in order to expedite the settlement of the affairs at Kalyanasingapore?"

The hon. Mr. A. Y. G. CAMPBELL :—"I am in close touch with the Agent to the Governor there, and we are shortly going to have an interview with the Agent."

Mr. P. C. VENKATAPATHI RAJU :—"May I know from the hon. the Revenue Member whether there is any necessity for the continuance of the internment of the Deo Brothers at Bellary?"

The hon. Mr. A. Y. G. CAMPBELL :—"Yes, Sir, because in our opinion, a continuance of their internment is necessary for the preservation of public peace. The conditions under which these two gentlemen were interned are still prevailing, and we fear that if they return there, the peace of that portion of the agency would be disturbed."

Mr. P. C. VENKATAPATHI RAJU :—"Will the hon. the Revenue Member be pleased to enquire whether the taking away of these people from their own place and their internment at another place is not itself the cause of the agitation in Kalyanasingapore?"

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The hon. Mr. A. Y. G. CAMPBELL :—" It is not our information that their having been taken away from there is really the cause of the agitation there."

Mr. P. C. VENKATAPATHI RAJU :—" May I know if there was any agitation in Kalyanasingapore when these gentlemen were there ? "

The hon. Mr. A. Y. G. CAMPBELL :—" Yes, there was, and it was after proper enquiry that the Government thought it better to intern them at Bellary."

Mr. P. C. VENKATAPATHI RAJU :—" Was it before any agreement was reached between them and the Maharaja of Jeypore ? "

The hon. Mr. A. Y. G. CAMPBELL :—" Yes, Sir."

Mr. P. C. VENKATAPATHI RAJU :—" And after the dispute was settled, what is the objection to their being sent to their own place ? "

The hon. Mr. A. Y. G. CAMPBELL :—" The Government understand that even now the ryots refuse to pay rents to the Maharaja and to obey the orders of the courts."

Mr. P. C. VENKATAPATHI RAJU :—" If, as is said, the dispute has been settled, what is there that made the Government think that the Deo Brothers will not try to discharge the obligations laid on them by the agreement by informing the people that the dispute was settled ? "

The hon. Mr. A. Y. G. CAMPBELL :—" The Government are not aware of any."

Mr. P. C. VENKATAPATHI RAJU :—" Was the agreement brought to the notice of the people either by the Government or by the Jeypore Estate people ? "

The hon. Mr. A. Y. G. CAMPBELL :—" I must ask for notice of that question."

Mr. K. V. R. SWAMI :—" May I know whether the hon. Member will ask the Collectors of Bellary and Vizagapatam to send up all the petitions that are pending with them ? "

The hon. Mr. A. Y. G. CAMPBELL :—" The Government have already received petitions through those officers."

Mr. D. NARAYANA RAJU :—" May I know if the internment of the Deo Brothers is being continued at the instance of the Agent to the Governor or at the instance of the Maharaja of Jeypore ? "

The hon. Mr. A. Y. G. CAMPBELL :—" At the instance of the Government Agent."

Mr. D. NARAYANA RAJU :—" May I know if the Government have ascertained the wishes of the Maharaja of Jeypore in this respect ? "

The hon. Mr. A. Y. G. CAMPBELL :—" The Government do not propose to ascertain the wishes of the Maharaja of Jeypore as they are not relevent to the internment. These two people were interned in the interests of the public peace of the district."

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Local Boards

Proposed construction of the new Salem College.

*358 Q.—Subadar-Major S. A. NANJAPPA Bahadur: Will the hon. the Minister for Education and Local Self-Government be pleased to state when the work for the proposed construction of the new Salem College will commence?

A.—Government have no information.

Introduction of Bills to amend the Local Boards Act, the District Municipalities Act, etc.

*359 Q.—Mr. S. SATYAMURTI: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) when he proposes to introduce the Bills to amend the Local Boards Act, the District Municipalities Act, the Madras City Municipal Act, the Hindu Religious Endowments Act and the Elementary Education Act; and

(b) the reasons for the delay?

A.—The hon. Member's attention is drawn to my answer to question No. 65 in regard to the Bills other than the Madras City Municipal Act Amendment Bill. The latter is now under correspondence with the Corporation of Madras.

Mr. J. A. SALDANHA:—"May I enquire whether, since the reply was given the other day, the Government have submitted the Bill to amend the Madras District Municipalities Act to the Government of India?"

The hon. Dr. P. SUBBARAYAN:—"Yes, Sir."

Taking charge of the office of the elected President of the Taluk Board before publication in the Gazette.

*360 Q.—Mr. B. VENKATARATNAM: Will the hon. the Minister for Education and Local Self-Government be pleased to state—

(a) whether the President, District Board, East Godavari, asked the Government if a president of a taluk board elected but whose name is not published in the Gazette could take over charge of office and also if he could act as an ex-officio member of the district board; and

(b) if so, what was the reply given?

A.—(a) Yes.

(b) The reply was in the affirmative in both the cases.

Mr. C. RAMASOMAYAJULU:—"May I enquire why there is such an enormous delay in the matter of the issue of notifications to the Gazette of the names of members elected to the local boards?"

The hon. Dr. P. SUBBARAYAN:—"Notice."

Rao Bahadur C. S. RATNASABAPATHI MUDALIYAR:—"May I know if the Advocate-General was consulted in this matter, and if so, what his reply was?"

The hon. Dr. P. SUBBARAYAN:—"The whole matter was considered by the Government."

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Excise

Inspection of liquor shops by the Members of the Excise Licensing Board, etc.

* 361 Q.—Mr. C. GOPALA MENON: Will the hon. the Minister for Public Health be pleased to state—

(*a*) whether the Prohibition League, Calicut, has addressed the Government requesting them that the members of the Excise Licensing Board and the advisory committees should be permitted to inspect the liquor shops within their jurisdiction with a view to see that the conditions of licence with special reference to sanitation, hours of sale, etc., are followed;

(*b*) whether the Government have declined to consider the request favourably; and

(*c*) whether he will be pleased to place on the table of the House the letter of the League and the reply of the Government thereon?

A.—(*a*) & (*b*) Yes.

(*c*) The papers are laid on the table.[a]

Mr. C. GOPALA MENON:—"May I know, with reference to clause (*b*), why the Government declined to consider the request favourably of the Calicut Prohibition League with regard to the inspection of the liquor shops with special reference to the sanitary conditions of those shops?"

The hon. Mr. S MUTHIAH MUDALIYAR:—"In the last but one sentence of the appendix, it is stated 'It will be an advantage however, if any member of the Licensing Board or Advisory Committee will bring to the notice of the Revenue or Excise Officers instances in which the sanitation of a shop is found to be defective or the prescribed hours of sale are disregarded.' So if any defect is pointed out, it will be alright. But with regard to inspection being obligatory on the members of the Licensing Board, the Government have the apprehension that it will spoil the whole case as the licensees may not like their shops to be inspected too often. That is the reason why the Government did not think it necessary."

Mr. G. HARISARVOTTAMA RAO:—"May I know whether the Inspector, Sub-Inspector and others spoken of in the answer are not interested in the income of the department?"

The hon. Mr. S. MUTHIAH MUDALIYAR:—"What is talked of in the answer is the sanitation of the shops and nothing else."

Extension of the hour of closure of liquor shops from 8 p.m. to 9 p.m.

* 362 Q.—Mr. C. GOPALA MENON: Will the hon. the Minister for Public Health be pleased to state—

(*a*) whether it is a fact that in the case of arrack shops and foreign liquor taverns in Madras City, the hour of closure has been extended from 8 p.m. to 9 p.m., and if so what reasons led the Government to adopt this course; and

(*b*) what the reasons are for closing the arrack and toddy shops in Tuticorin town and toddy shops in Mangalore town at 9 p.m. while 8 p.m. is the general hour of closure in all other places in the Presidency?

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[a] Printed as Appendix III at page 678 infra.

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A.—(*a*) Yes. The closing hour was changed by the Commissioner from 8 p.m. to 9 p.m. on the ground that closure at 8 p.m. led to over-crowding in shops and to clandestine sales after the regular hours.

(*b*) The information has been called for.

Mr. C. GOPALA MENON :—" May I know from the hon. the Minister whether the opening hours remain the same as before ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" May I know if the hon. Member wants the information for all the shops ? "

Mr. C. GOPALA MENON :—" For foreign liquor shops."

The hon. Mr. S. MUTHIAH MUDALIYAR :—" The closing hour has been extended from 8 to 9 p.m."

Mr. C. GOPALA MENON :—" I want to know if the opening hour remains the same."

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I think so, but I am not quite sure."

Mr. G. HARISARVOTTAMA RAO :—" May I know if the hon. the Minister for Excise has considered the alternative of improving the accommodation in these shops instead of extending the time of sale ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" Improvement of the accommodation of the shops won't bring in all the people within the prescribed time."

Mr. G. HARISARVOTTAMA RAO :—" May I know whether the hon. the Minister expects to provide for people who are going there after 8 o'clock ? Is that the reason why the closing hour has been extended to 9 ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" Because by closing the shops at 8 o'clock, many people were not able to go there before that time, and it was therefore found necessary to extend it to 9."

Mr. T. ADINARAYANA CHETTIYAR :—" May I know if the hon. the Minister is aware that the sales of liquor have increased enormously owing to this change of hours from 8 to 9 ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" Notice."

Mr. T. ADINARAYANA CHETTIYAR :—" Has it been extended only in the City of Madras or elsewhere also, Sir ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" The answer is only as regards the City of Madras."

Mr. G. HARISARVOTTAMA RAO :—" May I know for how long this complaint of people not being able to go before 8 o'clock has been in existence ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" The complaint was there, and then only the hour was changed."

Mr. K. R. KARANT :—" May I ask whether this is a part of the policy of prohibition or of getting maximum revenue ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" Whether the shops are closed at 8 o'clock or 9 o'clock is all the same so far as prohibition is concerned."

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Mr. D. Narayana Raju :—" May I know if the hon. the Minister is prepared to extend the time still further, so that people who cannot go before 9 o'clock may take advantage of such extension of time ? "

The hon. Mr. S. Muthiah Mudaliyar :—" The question will be considered if there is reasonable complaint."

Mr. G. Harisarvottama Rao :—" May I know whether there was any representation made to the Minister that the time should be extended from 8 to 9 ? "

The hon. Mr. S. Muthiah Mudaliyar :—" It was after getting representations from various people that the time was extended."

Adoption of the system of rationing of country liquor.

*363 Q.—Mr. C. Gopala Menon : Will the hon. the Minister for Public Health be pleased to state—

(*a*) whether some system of rationing of country liquor has been adopted in any part of the Presidency ; and

(*b*) if the answer to (*a*) is in the affirmative, whether he will be pleased to state in detail the scheme adopted ?

A.—(*a*) & (*b*) The arrack shops in the municipalities of Bimlipatam, Vizagapatam and Vizianagram have been sold in auction as a block and leased for a period of two years from 1st April 1929, subject to the right of the Government at the end of six months to determine the lease on 31st March 1930. The sale of liquor in these shops is being rationed, the ration being calculated at 5 per cent less (in round figures) than the average consumption of the shops for the five years ending 30th September 1928.

Number of foreign liquor shops and toddy shops in taluks where country liquor has been prohibited.

*364 Q.—Mr. C. Gopala Menon : Will the hon. the Minister for Public Health be pleased to state—

(*a*) the number of foreign liquor shops and toddy shops in the taluks in which the sale of country liquor has been prohibited ;

(*b*) whether it is a fact that some of the taluks are situated on the borders either of Indian States or French territory ; and

(*c*) the consumption of toddy and foreign liquor in these taluks before and after the prohibition of the sale of country liquor ?

A.—(*a*) The number in 1928–29 was as follows :—

Taluk.	Number of toddy shops.	Number of foreign liquor shops.
Shiyali	62	1
Tirutturaippundi ...	98	1
Tiruvadanai	86	1
Tenkasi	40	1
Attur	43	Nil. (Experiment being tried only from 1st April 1929.)

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(b) The Tiruvadanai taluk of the Ramnad district borders on Pudukottai and the Tenkasi taluk of the Tinnevelly district borders on Travancore.

(c) The consumption of foreign liquor was as shown below :—

	(Foreign liquor, number of gallons.)				
	1923-24	1924-25	1925-26	1926-27	1927-28.
Shiyali ...	...	84	103	87	130
Tirutturaippundi	95	147	120	159	339
Tiruvadanai ...	100	161	240	255	203
Tenkasi ...	131	294	325	408	431
Attur ...	...	Nil.	...	...	...

Statistics of the consumption of toddy are not available.

Mr. J. A. SALDANHA :—" May I enquire why the number of foreign liquor shops has increased from one at the close of the regime of the late Excise Minister, Sir A. P. Patro, to four this year ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" Where did the hon. Member get the information from ? "

Mr. J. A. SALDANHA :—" I knew it was one then because that answer was given by Sir A. P. Patro at that time."

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I am not aware of the actual number of shops at the time when Sir Patro laid down his office. If the number has increased, it must have been in 1927, before I took up office—if the hon. Member is sure that it was only one when Sir A. P. Patro laid down his office."

Extension of the system of licensing boards.

*365 Q.—Mr. G. HARISARVOTTAMA RAO : Will the hon. the Minister for Public Health be pleased to state—

(a) what steps have been taken to extend the system of licensing boards ;

(b) when he proposes to extend the system to all municipalities ; and

(c) whether he has considered the question of utilizing local boards for that purpose ?

A.—(a), (b) & (c) Excise licensing boards have been formed in the fifteen major municipalities. The idea of the Excise Advisory Committee in recommending the creation of such boards was that they should form a basis of experiment and that the experience gained by their working should determine further action. The licensing boards were actually constituted so recently as 1927, and the Government are of opinion that it is as yet too soon to consider an extension of the system in the directions suggested.

Mr. G. HARISARVOTTAMA RAO :—" May I know if the hon. the Minister for Excise will tell us if he has received reports about these licensing boards from 1927 up to now ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" Licensing boards have been working and we must have heard something about them."

Mr. G. HARISARVOTTAMA RAO :—" But has he received reports and has he considered whether these reports justify the extension of this system of licensing boards ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" We have received reports but we do not think sufficient time has elapsed for a reconsideration of the matter."

Mr. G. HARISARVOTTAMA RAO :—" May I know what the gist of the reports has been, whether the system has been a success or not ? "

The hon. the PRESIDENT :—" That is asking for an opinion."

Manufacture of country liquor.

* 366 Q.—Mr. J. A. SALDANHA : Will the hon. the Minister for Public Health be pleased to state—

(*a*) the various firms which manufacture country liquor by contract with Government for supply to depots in the Presidency ;

(*b*) the basis of materials from which the liquors are made ;

(*c*) where the distilleries are ;

(*d*) the places to which the distilleries supply liquor and what kind of liquor is supplied ;

(*e*) what are the prices charged by the distillers for the several kinds of liquor ;

(*f*) which distillery supplies country liquor to South Kanara ;

(*g*) whether it is a fact that only liquor made from molasses or the refuse in a sugar manufactory is supplied for sale as country liquor in South Kanara ;

(*h*) whether it has been found possible to supply liquor from sugarcane or palmyra or coconut jaggery in large quantities from Indian distilleries in the Coimbatore district ;

(*i*) whether there has been a fall in consumption of the country liquor and fall in rentals in South Kanara and whether this is due to inferior quality and unpopularity of the liquor supplied ;

(*j*) whether there has also been an increase in the illicit distillation of liquor in the district during the last five years with figures ; and

(*k*) whether Government have before them proposals to license local distillation from various materials, and what steps Government propose to take regarding the matter ?

A.—(*a*) *to* (*g*) A statement [a] is appended.

(*h*) The Government have no information on the point.

(*i*) Figures showing the consumption of country liquor and the rentals realized in the South Kanara district during the five years ending 1927-28 are given below :—

Year.			Consumption in imperial proof gallons.	Rentals.
				RS.
1923-24	...	...	62,804	1,34,815
1924-25	...	...	60,440	1,24,169
1925-26	...	...	52,507	1,03,649
1926-27	...	...	49,995	1,03,947
1927-28	...	...	51,848	99,310

[a] Printed as Appendix IV on pages 679-680 infra.

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The Government have no reason to think that the variation in the figures of consumption and rentals was due to the inferior quality and unpopularity of the liquor supplied.

(*j*) The number of cases of illicit distillation and of possession and sale of illicitly distilled spirit detected in the South Kanara district during the four years ending 1927–28 (for which period figures are available) is as follows :—

1924–25	120
1925–26	172
1926–27	168
1927–28	250

No separate figures are available for cases of illicit distillation.

(*k*) The Government have no such proposals under consideration, nor do they propose to take any action in the direction suggested.

Mr. J. A. SALDANHA :—" May I know from the hon. the Minister, with reference to the answer to clause (*h*), whether Government have any information that liquor should be supplied from distilleries like Nellikuppam ? " 11-15 a.m.

The hon. Mr. S. MUTHIAH MUDALIYAR :—" If the hon. Member will convince Government that it should be otherwise, they will consider the suggestion."

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR :—" May I know from the hon. Minister whether the system of calling for open tenders for the manufacture of country liquor is still in existence ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" So far as I am aware, there is no change during the last year and a half."

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR :—" My question has not been answered. What I want to know is whether the system of calling for open tenders is in force."

The hon. the PRESIDENT :—" This is not the occasion to criticise the nature of the reply. There are other avenues open to the hon Member to criticise the nature of the reply given."

Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR :—" May I ask the hon. Minister whether the people who manufacture country liquor have been given these privileges by calling for tenders in the open market ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I do not believe that tenders are called for every year. Probably these people were given licences at the time the distilleries were started and unless there is any substantial reason for cancelling those licences, I do not think we can cancel them."

Rao Bahadur C. S. RATNASABHAPATI MUDALIYAR :—" May I ask the hon. Minister, why it is that there is great disparity with regard to the number of districts allotted to the various companies ? For instance, the companies noted in the statement, namely, items 1 to 6, are given three districts each, whereas Messrs. Parry & Co. are given ten districts to sell arrack ? "

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The hon. Mr. S. MUTHIAH MUDALIYAR :—" If any detailed information is wanted, I require notice. I can now only say that when these distilleries were started, the capacity of the distilleries and the financial resources of these companies would have been taken into consideration."

Mr. G. HARISARVOTTAMA RAO :—" May I know whether the question of calling for tenders in this case is under the consideration of Government ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I never said that it was under the consideration of Government."

Mr. G. HARISARVOTTAMA RAO :—" Will the Government consider the question ? "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" There is no reason to consider."

Medical

Appointment of an All-India Inspector of Medical Education.

* 367 Q.—Mr. S. SATYAMURTI : Will the hon. the Minister for Public Health be pleased to state—

(a) whether he has agreed to the appointment of an All-India Inspector of Medical Education on behalf of the British General Medical Council ;

(b) if so, the reasons why he has agreed to that appointment ; and

(c) whether the Government of Madras have committed themselves to bear any portion of the cost of such office, and if so, what portion and the reasons why ?

A.—(a), (b) & (c) The Government have agreed to the temporary appointment of a whole-time Commissioner of medical qualifications and standards for India and to meet one-seventh of the expenditure involved in the creation of the appointment. The necessity for the appointment is explained in the appended note a copy of which was placed on the table [a] in connexion with the supplementary grant voted by the Council at the meeting held on the 8th October 1928.

Removal of the sheep shed near Neiveli village.

* 368 Q.—Dr. B. S. MALLAYYA : Will the hon. the Minister for Public Health be pleased to state—

(a) whether the residents of Neiveli village in Tiruvallur taluk have petitioned the Collector, the Director of Public Health and the Surgeon-General to remove the sheep-shed near the village to a place more distant from the village ;

(b) whether any enquiry was made on the petition by the Public Health Department ; and

(c) whether the Government will pass favourable orders on the petition of the villagers ?

A.—Government have no information.

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[a] Printed as Appendix V on pages 680–681 infra.

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Agriculture

Admissions into the Agricultural College last year.

* 369 *Q.*—Mr. K. V. R. Swami: Will the hon. the Minister for Development be pleased to state—

(*a*) How many applications there were for seats in the Agricultural College, Coimbatore, last year;

(*b*) the number of students admitted;

(*c*) the educational qualifications of the students admitted; and

(*d*) whether the Government will provide more seats this year?

A.—(*a*) 303.

(*b*) The Committee selected 48 candidates, but 2 candidates did not present themselves for admission; therefore only 46 candidates were admitted.

(*c*) All the candidates selected were duly qualified; the minimum qualification required being that they should have passed the Intermediate Examination in Arts and Science of the University of Madras and have qualified in Group I or II of part II thereof under the old Regulations, or in Group A of part III under the new Regulations with any two subjects other than Geography, or an examination of some other University recognized as equivalent to the examination specified above.

(*d*) The question is engaging the attention of the Government.

Mr. K. Koti Reddi:—"May I know from the hon. Minister why, when so many as 303 students applied, only 48 candidates were selected? May I know the difficulty? Is it with regard to accommodation or anything else?"

The hon. Mr. M. R. Seturatnam Ayyar:—"Accommodating the staff and other considerations."

Mr. K. Koti Reddi:—"What are the other considerations?"

The hon. Mr. M. R. Seturatnam Ayyar:—"Hostel accommodation, laboratory and the extra staff necessary."

Mr. K. Koti Reddi:—"May I know if the accommodation could not be easily extended by the provision of a small extra expenditure?"

The hon. Mr. M. R. Seturatnam Ayyar:—"Not small, but more extra expenditure will be required in connexion with laboratory arrangements."

Mr. K. Koti Reddi:—"May I know with regard to answer to clause (*b*) why they have not selected two more candidates for the two candidates who did not present themselves for admission?"

The hon. Mr. M. R. Seturatnam Ayyar:—"I do not know."

Mr. G. Harisarvottama Rao:—"May I know how many of the 303 applicants were from the districts of Cuddapah, Kurnool, Bellary and Anantapur?"

The hon. Mr. M. R. Seturatnam Ayyar:—"Notice, Sir."

Mr. K. Koti Reddi:—"May I know whether the Government have seriously taken into consideration the fact that as there is a large demand for higher agricultural education in this Presidency, more students should be entertained and more accommodation should be provided?"

The hon. Mr. M. R. Seturatnam Ayyar:—"Yes, Sir."

*The hon. the PRESIDENT :—" The Council will now pass on to the next item of business.

" The remaining supplementary demand under Grant XXXV—Agency Tracts—Reserve is not to be moved and so it shall be deemed to have been withdrawn."

[Note.—An asterisk (*) at the commencement of a speech indicates revision by the Member.]

II

SELECT COMMITTEE ON THE BILL FOR THE SUPPRESSION OF BROTHELS AND IMMORAL TRAFFIC.

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :— " Mr. President, I beg to move—

'*that Mr. E. J. Rowlandson, a Member of this Council, be added to the Select Committee appointed on the* 12*th October* 1928, *to consider the Bill for the Suppression of Brothels and Immoral Traffic* (*Bill No.* 16 *of* 1928).

" Sir, when we referred the Bill to the Select Committee last time we included the name of Mr. Cunningham. As he has now gone on leave, and as it is very important that a non-official Bill of this importance should have expert official assistance, I make this motion."

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" I second the motion."

Mr. C. GOPALA MENON :—" Sir, I beg to move—

'*that Mr. F. E. James be also added to the Select Committee on the Bill for the Suppression of Brothels and Immoral Traffic.*'

" Sir, this is not an addition to the already existing number of members on the Select Committee, but this is as a substitute for Mr. Wright who has resigned from the Legislative Council, and therefore I hope the Council will have no difficulty in accepting my motion ? "

Dr. (Mrs.) S. MUTHULAKSHMI REDDI :—" I second the motion."

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :— " I have great pleasure in accepting it."

*The hon. the PRESIDENT :—" The question is that Mr. E. J. Rowlandson and Mr. F. E. James be added to the Select Committee appointed on the 12th October 1928 to consider the Bill for the Suppression of Brothels and Immoral Traffic."

The motion was carried.

III

REPORT OF THE COMMITTEE APPOINTED BY THE LEGISLATIVE COUNCIL TO CONFER WITH THE INDIAN STATUTORY COMMISSION.

Rao Bahadur Sir A. P. PATRO :—" Mr. President, Sir, in accordance with the resolution of the Madras Legislative Council passed on the 4th September 1928, I beg to present the report [a] of the Committee appointed by the Council in pursuance of the said resolution "

The hon. Khan Bahadur Sir MUHAMMAD USMAN SAHIB Bahadur :— " Sir, I beg to move—

'*that the report of the Committee of this Council elected in pursuance of the resolution of this Council dated* 4*th September* 1928 *to confer with the Indian Statutory Commission be taken into consideration.*'

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[a] Printed as Appendix VI on pages 682–700 infra.

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The hon. Dr. P. SUBBARAYAN :—" I second the motion Sir."

* Mr. P. C. VENKATAPATHI RAJU :—" Mr. President, Sir, at the outset I wish to make clear the position of my party, the Congress party, in respect of the motion now before the House . . ."

* The hon. the PRESIDENT :—" I wish to know under what Standing Order the hon. Member is making the position of his party clear."

* Mr. P. C. VENKATAPATHI RAJU :—" Just as any member has a right to make a statement . . ."

* The hon. the PRESIDENT :—" Now, the motion is for consideration. Any statement made during the debate on this motion must be relevant to the question whether the report be taken into consideration or not. Any statement as to the position of the party except as to this question is not relevant to the motion before the House. I want that to be made clear. Any statement which a member makes on behalf of the party must be relevant to the motion. The motion now before the House is that the report be taken into consideration."

* Mr. P. C. VENKATAPATHI RAJU :—" Mr. President, I wish to submit that what I am going to state is only with reference to the motion before the House. As the leader of a party, I think, I have every right, in order to minimise discussion . . ."

* The hon. the PRESIDENT :—" The hon. Member and his party have got every right to discuss the motion."

* Mr. P. C. VENKATAPATHI RAJU :—" As the Leader of the Congress Party, I am going to express my views on the motion before the House."

* The hon. the PRESIDENT :—" I have not the slightest objection to the hon. Member expressing his views on the motion."

* Mr. P. C. VENKATAPATHI RAJU :—" I think as the leader of the party I can also say that that is the view of my party."

* The hon. the PRESIDENT :—" You may say that, but any speech that the hon. Member makes must be relevant to the motion."

* Mr. P. C. VENKATAPATHI RAJU :—" The Indian Statutory Commission, otherwise known as the Simon Commission, was appointed in the teeth of the opposition of practically all the important political parties in the country who boycotted the Commission in all the stages of its work in India. That the boycott has been successful has been admitted by the British Premier himself, Mr. Ramsay Macdonald, who had to admit that influential sections of political opinion in India had kept aloof from the Commission. All that has happened since has confirmed us in the view that the wisest and the most dignified and self-respecting course for India was only to boycott the Simon Commission. The 'gory progress' of the Commission throughout this country has still further alienated the country from that body.

" Moreover, the procedure of the Commission and the way in which it has treated with contempt the Central Committee and the Provincial Committees has shown that these Committees have nothing like an equal status with the Commission and that they are glorified witnesses who were tolerated as mere ornamental appendages. The Legislative Council was right in

deciding to boycott the Commission. We opposed the motion to appoint a 'Committee to co-operate with the Simon Commission'. We see no reason to change our opinion.

"We feel that no useful purpose will be served by taking part in this discussion. We certainly cannot agree to the humiliating position which this motion and the amendment thereto ask the Legislative Council to agree to, namely, to submit a report to the Simon Commission. The country stands to gain nothing by the 'co-operation' but will lose a great deal in its prestige and honour. So far as the authorities either here or in Great Britain are concerned, our position is or ought to be well known. The national demand has been put before the country and the Government by the Indian National Congress. We stand by it . . ."

* The hon. the PRESIDENT :—"Order, order: I do not find any portion of the speech relevant to the motion before the House."

Mr. P. C. VENKATAPATHI RAJU :—"We cannot stultify ourselves by taking any part in this discussion. We therefore propose to abstain from this discussion altogether."

* Mr. P. ANJANEYULU :—"Mr. President, with due respect to your ruling, I beg to state that the President may be pleased to consider where a motion before the House is for consideration, a speech for non-consideration also is consideration. Portions of such speech may relate to the reasons why it may not be considered; and the Leader of my party was only urging those reasons why the Swarajists as a party are not inclined to consider the report presented to the House, and will have nothing to do with it. So, the reasons advanced by my Leader are relevant to this matter."

* The hon. the PRESIDENT :—"I have already stated that the hon. Member will be perfectly justified in saying that he will not consider the motion."

* Diwan Bahadur R. N. AROGYASWAMI MUDALIYAR :—"Mr. President, on behalf of myself and of the group on this side of the House, I rise to say that we do not agree either with the recommendations of the Madras Simon Committee or even with the basic principles on which the Simon Commission itself was constituted. We believe that the report of the Committee is not conducive to the highest interests of the country and we could not believe that if the idea of the Government was to give this country responsible Government, it was necessary at all to send a roving Commission or to
11-30 a.m. set up committees like this to consider the fitness of the people for responsible Government. We believe, Sir, that responsible Government is the birthright of the people and in accordance with that view we have always felt and expressed that we would have nothing to do with the Commission or the Committee constituted under it. We, therefore, Sir, do not propose to discuss this report, because we consider that it is not in the best interests of the country."

(At this stage the Congress Party and the Independent Nationalist Opposition Party headed by the respective Leaders walked out of the Chamber.)

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* Rao Bahadur Sir A. P. PATRO :—" Sir, I beg to move the following amendment to the motion :

'The words : " *and that it may be forwarded to the Indian Statutory Commission' be added at the end.*"

" Sir, it is unnecessary for me to go into the details of the report which has been placed before this House and circulated to every member. All that I propose to do in support of this motion is only to attempt a brief survey of what we have been able to submit to this House and for the consideration of the public. Sir, in the large volume of evidence that was placed before us we have been able to see that there was a fundamental error in dealing with this question of the future political advance of the country. Witnesses and public men have placed greater reliance upon the working of the dyarchical system, upon its success or failure as affording the real test for the next political advance. We believe, Sir, that it is not the proper standard from which the political capacity of the Indians should be judged. If the circumstances and the conditions which existed in 1918 when the Montagu-Chelmsford report was published and which have compelled the British House of Commons to grant the concessions and to formulate the proposals which are embodied in the Government of India Act were now existing in greater and more intense form and whether within this period of nine years there has been any great advance which could justify the suggestions made in the report, it seemed to us as the proper criterion from which the political advance of the country could be judged."

* The hon. the PRESIDENT :—" Order, order. I am not able to follow how the hon. Member's speech is relevant to the amendment before us."

Rao Bahadur Sir A. P. PATRO :—" I respectfully ask, Sir, whether in moving my amendment I shall not have the opportunity of discussing what we have stated in the report of the Committee."

* The hon. the PRESIDENT :—" The position is this. The amendment may be put to the House and when once it is carried, then the amended proposition will be before the House for discussion. But the member who has moved an amendment will not be allowed to speak again."

Rao Bahadur Sir A. P. PATRO :—" I am very sorry that that is a very unfortunate position."

* The hon. the PRESIDENT :—" The rules are so. I am equally sorry but the rules have to be enforced." (Laughter.)

Rao Bahadur Sir A. P. PATRO :—" That is a very unfortunate position, Sir, to which the Mover of an amendment is subject. If he did not move his amendment, he would perhaps be in a better position. But having moved the amendment he is deprived of the privilege and right of speaking."

* The hon. the PRESIDENT :—" Further, if he speaks, he will not be allowed to move an amendment." (Laughter.)

Rao Bahadur Sir A. P. PATRO :—" In obedience to your ruling, Sir, I move—

'*That the following words be added at the end :*

"*and that it may be forwarded to the Indian Statutory Commission*".'"

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Rao Bahadur C. S. RATNASABHAPATHI MUDALIYAR :—" I second it."

The hon. Diwan Bahadur M. KRISHNAN NAYAR :—" If you will allow me, Sir, I move for a small verbal alteration and that is,

' *That the word, " may ", in the amendment be omitted as also the words " Indian Statutory '.* "

The hon. Mr. S. MUTHIAH MUDALIYAR :—" I second it."

* The hon. the PRESIDENT :—" It has been moved and seconded

" *That the words " may " and " Indian Statutory " in the amendment be omitted.* "

The amendment was put and carried.

* The hon. the PRESIDENT :—" I shall now put the amended amendment of Sir Patro to the House. The question is :

' *That the words : " and that it be forwarded to the Commission " be added at the end.* ' "

The amendment was carried.

* The hon. the PRESIDENT :—" The motion as amended is now for the discussion of the House."

Rao Sahib R. SRINIVASAN :—" Sir, I rise to make the following few observations after reading the report of the Committee of this Council which is now before the House. The question may be asked in the first place : Is there the need for political changes in the country at present ? I think not myself. But who are the people who clamour for changes ? It is not the millions of the depressed classes of the population, nor again the hard-worked labouring class from whom the cry for any advance should legitimately originate, but it is from the comparatively small educated, wealthy and interested people."

* The hon. the PRESIDENT :—" Order, order. I am closely following the speech of the hon. Member ; but how all this is relevant to the motion I fail to see. Any remark of the hon. Member accepting, modifying or rejecting any of the views expressed by the Committee will be relevant. As the hon. Member is bringing in extraneous details, I am bound to say that the speech is irrelevant to the motion."

* Mr. S. N. DORAI RAJA :—" Mr. President, Sir, it is a great pity that my hon. Friends the Swarajist Members of this Council who are able and intelligent men should run away at the first touch of responsibility."

* The hon. the PRESIDENT :—" Order, order. I request the hon. Member to confine himself to the terms of the motion, instead of making such observations. He must be aware that the Swarajist Members are not present here to hear the music of his words."

* Mr. S. N. DORAI RAJA :—" Sir, I rise to offer my sincere congratulations to Sir A. P. Patro, a true patriot, and an astute statesman and to the Members of the Madras Parliamentary Committee who have been equally good and true for the excellent and interesting report which they have produced. Sir, constituted as we are, human nature being what it is, and in consideration of the fact that we are obsessed with communal troubles, it is easy for any one to find arguments for or against the points contained in the report. For

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instance, some may agree and some may not, on the question of the constitution of a Second Chamber in the province. I should however express myself here in its favour. There are similarly other points open to discussion but one thing is certain. The magnificent gesture in favour of provincial autonomy recommended by the Committee is a striking testimony to the great work done by the great democratic party. I mean the Justice Party."

* The hon. the PRESIDENT :—" I am afraid the hon. Member is not at all relevant."

Mr. S. N. DORAI RAJA :—" I congratulate the Parliamentary Committee constituted by this House, and also the Government for their generosity and great political acumen in giving us the proper panacea for the political ills we are suffering from."

* Mr. S. ARPUDASWAMI UDAYAR :—" Mr. President, Sir, the President, members and the Secretary of this Provincial Committee are to be congratulated on the excellent report they have submitted to this Council. They have done their work with a thoroughness and breadth of outlook which should satisfy the most exacting political critic. The recommendations they have made are the result, I find, of careful investigation, a searching analysis, and an independent and impartial estimate of the present political situation and of future requirements. Sir, it would take too long a time to enter into a detailed criticism of the report. I should satisfy myself with drawing attention to three or four salient features which go to show that the Committee have made the best use of their opportunities and to justify the opinion, that the report, as we have it, has a special value both by reason of its safeguards and on account of the frank and fearless exposition of the case necessitating a bolder advance in the direction of full responsible government. As a proof of the Committee's clearness of vision, I beg to cite the following : At page 5 in the first paragraph, we find this sentence :

'Peace is good but when for the large mass of the people it is not coupled with economic progress, it is but barren.'

Again, at page 12 we read :

'Those economic departments of the Central Government are of vital importance to the people of India in all the Provinces. The appalling poverty of the people, the large amount of unemployment among the educated classes and the comparatively small return India gets from her enormous natural resources, all demand that control over the economic life of India should be transferred to the people of India. In these departments no religious or caste differences can have any effect.'

" This is a striking recognition of the rapid change that is coming over this country and is bound to come with accelerated speed in future on account of the growth of that new humanity consequent upon mass civilization. By mass civilization I mean, the civilization not so much of masses in the ordinary sense of the word but of economic aggregates which arise from the grouping of masses of population and capital round particular economic interests. This new humanity which is bound to increase with the creation of new sources of wealth can live only in masses.

" The end of its civilization which is the material well-being is not restricted to a particular class, but is the common aim of every member of the group. It makes life for the ordinary person more enjoyable, richer in opportunities than it ever was before. Critics, Sir, may sneer at it and term it 11-45 a.m.

the civilization of a train-driver, but nothing can check the tentacular advance of the civilization of the wireless set, the cinema, the theatre, the motor bike, the motor car and the bungalow. We find members of this group putting off their individuality and conforming to standardized types of thought and conduct. This, Sir, extends even to details of taste and personal habits. A certain way of dressing, furnishing the home, feeding and of enjoying oneself once advertized to the public and successfully launched becomes entrenched and defended through the solidarity of manufacturers, workers, whole-salers, shop-keepers, salesmen all banded together in quest of profits they will commonly share. Now, Sir, this civilization which finds itself in its most fully developed form in the United States of America is not wholly materialistic. Its enthusiasm for ethical and social progress is shown by the successful working of prohibition in that country. This report shows, Sir, the clearness of vision with which the Committee have grappled with the problem of having direct control over economic forces, and this new humanity and mass civilization which probably will give our statesmen many moments of anxious consideration in the near future.

"Secondly, I find that the same clearness of vision characterizes the sections of the report on the general survey, the working of dyarchy in Madras, the working of the Central Government, etc. Full responsible government is demanded as a *sine qua non* for awakening and developing of the newly awakened public opinion, for stimulating social legislation, for reshaping of Indian society, for stimulating the progressive spread of effective education and for the radical improvement or rather the awakening of selfless patriotism for the radical improvement of the amenities of the village. The conclusion arrived at at the end of the third paragraph on page 10, namely, 'if the principle of democratic government is to be introduced, it is as necessary to introduce it in regard to central subjects as in regard to provincial subjects' is the result of a fine piece of reasoning as convincing as it is obvious.

"Thirdly, Sir, dealing with the actual political changes and the proposals submitted by this Committee, it might be thought that they fall short of the ideal set up, that the form and shape given to the demand by the Committee in their recommendations on pages 11 to 14 do not fully rise up to the national claim for the introduction of democracy into this country. I for one have no misgivings or apprehensions on this point. Somehow Indian politicians have come to link up political developments in this country with political developments in the west. They speak of the constitutional changes always in terms of parliamentary institutions and that, at a time, when parliamentary government even in England is beginning to show signs of political and social weakness and is said, by some critics, not to be thoroughly representative, at a time when parliamentary government on the continent is shown to be a failure by the growth of fascism and the setting up of dictatorships. But parliamentary government has come to stay and, as I shall show later, we can build only on the past, that is to say, on the constitutional changes already introduced into this country and especially the Montagu-Chelmsford Reforms which have formed the subject of further investigation by this Committee. But I want to emphasize one point, Sir. The essential thing is the creation not so much of a new state machine as of new minds and a new spirit. The parliamentary system can only function in a stable society, where all active political elements are agreed on fundamental matters. It invokes the opposition of parties and

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also, and chiefly, their co-operation. Every party conflict cannot be a fight to the last, a fight to the bitter end. It is a game which can only be played by strict adhesion to the rules of the game. It is not an accident that the very same people that created this parliamentary system of government were also the inventors of the game of cricket. Both are parallel expressions of the same psychic principle. Therefore, whatever my other friends may think of these proposals, I think that the safeguards which the Committee have thought fit to introduce, the anxiety they show to avoid the preponderance or class interests are very necessary; at least they are perfectly intelligible. The Committee want to guard against two dangers. First there is the danger of political parties becoming the organs of predominating class interests, in which case we are threatened with social weakness or even social disruption. The other danger is the danger of the politician becoming the agent of industrial and financial powers who dictate his policy from behind the scenes. In either case, the Council will become not a healthy political debating ground or society, not a sound deliberative assembly, but a battle field for impersonal forces. Therefore the very anxiety shown by the Committee to have all classes and interests represented is a precaution taken by them to avoid the predominance of class interests, the shifting of the centre of gravity from the political to the economic or class sphere.

"Sir, the essential point in parliamentary government as I have stated is not conflict but co-operation. Should the Council for instance become a chaos of warring parties it would represent, not permanent interests, but shifting interests or a shifting coalition of opinions. There is much practical wisdom shown by the members of this Committee in turning to the past, to the constitutional changes so far introduced into this country in taking stock of the actual situation, the defects or the advantages in the working of, or the benefits or otherwise which have followed in the wake of the Montagu-Chelmsford Reforms, and in making their suggestions for the future rest upon the past, the experiment so far tried, the working of the constitution so far. Hence also the political wisdom of the members of this Committee in emphasizing the need for social legislation in order to avoid a class conflict. This class conflict is a morbid symptom, an ugly phenomenon flourishing in a society where the class system or class distinctions have become antiquated and no longer represent the real economic or social interests. The reshaping of Indian society so much emphasized here by the Committee will bring it into harmony with existing social and economic realities. Sir, there is also one dominating note running through the entire report pointing out and demanding that India should be allowed to live its own life. This is but the expression of the ideal that by allowing full scope for the spontaneous activities of the people the way should be prepared for the union of all creative forces of national life in the service of a constructive policy. There are, Sir, in this report, sentences like the following:

'As regards the formation of constituencies, we are in favour of single-member constituencies provided they are formed so as to avoid the preponderance of one community in any particular constituency.'

"And again, 'Just as the Council had the power to give votes to women and did give them, the Council may well be given the power to extend the franchise as and when it thinks fit.'

"While the Committee therefore are anxious to avoid the clash of preponderating class interests and want to hold the scales even between different communities. they also suggest how very necessary it is that reform must proceed from within by the union of the creative national forces and by the gradual reform and transformation of political and social institutions which will bring them into line with the new type of cultural unity. Sir, the changes recommended here are the necessary and natural results or developments of political life and political growth which as I said, have struck deep roots. Such healthy natural developments or political changes, which are but adaptations or fuller realizations of the new need or spirit have always the power and the vigour which make them endure. I for one believe, Sir, that . . ."

The hon. the PRESIDENT :—"Order, order. I have been trying to follow the hon. Member, and his attempt seems to be to comment upon every recommendation made by the Committee. I do not think that is the real scope of the motion. The real scope of the motion is to express the opinion of the House as far as the various recommendations of the Committee are concerned, to say whether they disagree, and if they disagree, how they propose to amend it. Mere running comment on the various recommendations of the Committee cannot be relevant strictly to the motion now under discussion. Whatever the members of the Committee wanted to say, they have expressed in the report and I think the House will not be right in making comments on the various recommendations. The Committee have taken very good care to put the recommendations in as concise a manner as possible, and this should not be taken as an opportunity to explain every idea therein contained."

* Rao Bahadur B. MUNISWAMI NAYUDU :—"May I submit for your consideration one point, Sir? At the time this Committee was appointed it was mentioned in this House that the proposals to be made by them might be placed before the House, so that the Council may have an opportunity to express its opinion on the recommendations, and in expressing their opinions now hon. Members have to state . . ."

* The hon. the PRESIDENT :—"If you give a shape to any opinion, I shall put it to the House as an amendment to this report. The terms of the proposition may be 'we agree with the recommendations' 'we modify the recommendations in this particular,' and so on. That may be a relevant amendment to the motion, and that will be really expressing an opinion. An opportunity is given to the House to express its opinion regarding the report of this Committee. You may say that you agree with it, or that you do not agree with particular recommendations which you want to be modified, and state it in the form of amendment. So there is every opportunity for the Members if they want to raise any particular point."

Rao Bahadur B. MUNISWAMI NAYUDU :—"As you said, Sir, one method is to express the opinion of the House definitely in the form of a resolution or resolutions. Another method is, as Sir Patro moved that this report may be submitted to the Simon Commission, to send it along with the speeches made by individual Members of this House. In that way the opinion of the House can be ascertained. It may not be a clear opinion of the House, but it would contain statements of what the various Members of this House feel

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on the matter. Therefore, Sir, I respectfully submit that, whether we agree or we do not agree with some recommendations, we may be allowed to express an opinion."

* The hon. the PRESIDENT :—" The only difficulty for me is to control the relevancy. If you take the whole field of the contents of the report, and if you make speeches thereon, really I will not be in a position to control the debate. Of course, if hon. Members want to make comments on every sentence, it will mean speaking on the report, but it will not be relevant to the motion before the House on which the discussion has to be concentrated."

Mr. S. ARPUDASWAMI UDAYAR :—" Sir, my words may not have conveyed a correct impression to you. What I wanted to say was that I was in substantial agreement with the recommendations of the Committee, and that I consider that these recommendations are in accordance with sound political principles. If I have not exactly conveyed that impression, I beg your pardon, Sir. I will finish what I have to say in one or two sentences. 12 noon.

" I was saying, Sir, that the proposed changes or modifications are all based on, grow out of and are relevant to, or are adaptations of the old order of things, and I congratulate the Committee on having made such important modifications as are really needed by the new conditions. I hope, Sir, that this report of the Provincial Committee will, like the other report submitted by the Madras Government, contribute not a little to the proper shaping of the new constitution to which we are all anxiously looking forward as destined to usher in a new era of peace and prosperity to the people of this country."

* Mr. F. E. JAMES (speaking from the front Opposition bench) :—" Mr. President, Sir, . . ."

* The hon. the PRESIDENT :—" The hon. Member speaking from there will give the impression that he is constituting a temporary Opposition."

Mr. F. E. JAMES (speaking from the Treasury bench) :—" I desire, Sir, . . ."

Mr. S. N. DORAI RAJA :—" Is he in order, Sir, to speak from the Treasury bench ? "

* The hon. the PRESIDENT :—" He is perfectly in order."

Mr. F. E. JAMES :—" I speak from here as a matter of convenience, with your kind permission.

" I desire to support the motion, which is before the House, for the consideration of the Report of the Provincial Committee and for its being forwarded to the Simon Commission. In doing so, Sir, I should like to make one or two observations upon the recommendations contained in this report. I have to say, in the first place, that most of the recommendations, so far as they relate to the Provincial Government, have our approval and sympathy. There are one or two points on which it appears that the Committee itself was to some extent divided, and, on these points, I should like to make a few observations.

" In the first place, when we turn to the extension of the franchise, it is the considered opinion of those whom I represent that at the present stage there should not be any further extension of the franchise for the reason that

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when we are engaged in building a new structure it is wise to make the foundation on which that structure is built absolutely stable and secure. To extend the franchise at the same time, as if you are building your upper structure, seems to be political unwisdom.

"In the second place, with regard to the representation of the depressed and labouring classes, I am asked to mention that the Planters' Constituency, which I represent in my capacity in this House, are very anxious that the representation of the depressed classes should be extended. As to whether the method suggested in the Report is the best method is perhaps a matter of some debate. But on the principle of securing an increased representation to the labouring or depressed classes, there is absolutely no difference of opinion between the authors of this Report and the constituents whom I represent.

"Further, I have to make one observation with regard to the recommendation which refers to the transfer of what is popularly known as law and order. The group which I represent and the interests which that group represents are entirely in favour of the transfer of the Police department, if I may put it more accurately, to the ministry which is responsible to the House. Our view is very clearly stated in a paragraph which is taken from the original memorandum submitted by the Associated Chambers of Commerce to the Simon Commission, which reads 'that the problem is largely one of principle, that the elementary and primary duty of any government is the maintenance of law and order and that if provincial governments are not to be trusted with that responsibility, the only logical attitude is to say that the time has not yet come for any further advance towards provincial autonomy.' It is the view of my constituents that the time has come, in Madras at any rate, for a further advance towards provincial autonomy, and in that advance it is essential that the control of the forces of law and order should be handed over to a newly constituted ministry. I have also to observe that on the part of my constituency there is apprehension in regard to the Malabar Special Police Force. This force is by them regarded as a force of armed troops, and they suggest that if this force is to be given a new lease under the new constitution there should be some arrangement whereby it should be subject to the control and administration of the Central Government.

"With regard to the recommendation in this Report concerning the second Chamber, I have only one observation to make. The members of our group and indeed the various constituences which this group represents, are divided in their opinion as to the necessity for a second Chamber. The majority hold that there is no necessity for a second Chamber in this province, and therefore agree with the memorandum submitted by the Government of Madras on that point.

"Now, Sir, we come to the proposals of the Provincial Committee in regard to the Central Government, and here I have to observe that we do differ to a considerable extent from the proposal they outline. The main proposal is that the principle of diarchy should be introduced into the Central Government. I am aware that the authors of this Report state that by fixing the budgets of the three non-transferred departments for a number of years they will have a system which they suggest does not correspond to the system of diarchy which obtains in the provinces and which has been condemned by so many. We are not of the same opinion as the authors of that report. We

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think that the principle of a fixed budget for a number of years is a very dangerous one to introduce in any Government. The fixing of the budget would not in any way detract from the central defect of the scheme, namely, that it introduces this principle of diarchy. It has been admitted on almost every hand that the principle of a divided executive, generally speaking, is a bad one. It is urged of course that it is necessary under certain conditions, especially during conditions of transition. But, nevertheless the defects of that hybrid system have been too obvious to my own constituency, and therefore we are not able to support this particular part of the recommendation. We do suggest that when you are devolving tremendous powers of responsibility in the provinces, you should take every step to ensure that the central executive is strong. The objection to diarchy urged by many intelligent politicians was that diarchy means weakness in the executive, and it is on this account and this account alone that we fear the introduction of the same principle into the Central Government. My community is in no way suggesting this to effect any barrier to normal progress towards self-government in this country. But they are frankly apprehensive that the particular method suggested by the authors of this report is not in the best interests of the country, and certainly is not conducive to the establishment of that strong executive at the centre, which we believe is absolutely essential in view of the devolution at the circumference which is to proceed. We believe that the number of the Members of the Executive Council should be increased. We think that there should be included in the Executive Council Members who are chosen by His Excellency the Viceroy from the Indian Legislature; but beyond these two general, slight recommendations we do not commit ourselves further.

"One other small thing I would say in this respect, and that is that we do agree with the suggestion that has been made in one quarter that the official representatives of provincial Governments who attend the Indian legislature should be free to vote as instructed by their Governments and should not form part of the Central Governmental block.

"There is one other point, which I omitted to mention earlier, and that is in regard to the suggestion made by one of the Members of the Provincial Committee that there should be introduced into the system of election for the Central legislature the principle of indirect election. We do agree with that on general principle. We do believe that by a system of indirect election from local Provincial Councils and from other public bodies you would probably get a more representative imperial Assembly than is possible to obtain through the medium of direct election by an enormous constituency.

"I only have one or two observations to make in regard to a few more suggestions in the Report. With regard to defence, we entirely agree—the European Association has suggested so time and again, and their representatives have said so in the Legislative Assembly—we entirely agree that increased opportunities should be opened and offered to Indians of all provinces 12-1
for military training. Speaking further still on the constitutional matter, we p.m.
agree with the authors of this report when they urge that whatever changes are made as a result of the present discussion of the Simon Commission, they trust that the constitution will have, within itself, its own seeds of development and that we should not have recourse after a period of years to another commission of enquiry, an external commission in order to discover wherein the

constitution needs further development or wherein its development should be retarded. We believe that this country has got to decide its own development and we hope that whatever constitution is given to this country as a result of the present deliberations it will contain within itself the germs of that orderly development which are so important for its prosperity and welfare.

"I have two other things to say in regard to this report. The first is that while my constituents are prepared to support the general provisions of this report as far as they relate to Madras, they wish to make one thing perfectly clear. They have felt for some time past that there has been in this country a tendency to introduce legislation and other executive action of Government which discriminate or tend to discriminate against the commercial interests of the British community in this country. Now, Sir, I will not say anything more about that in detail except this, that while we are prepared to support and urge further advance in the province, we definitely do ask, not for special treatment, but at least for national treatment for the industries and commerce which are established in India, whether registered or not. And we ask that those interests which we have in this country should be adequately protected against discriminatory legislation of a racial character. We feel naturally that our request for what we conceive to be simple elementary justice in this matter should not operate in the case of those nationals which discriminate against India. This restraint, if restraint it may be called, upon the power of the legislature should only apply to the case of those countries which do not discriminate against India. We Britishers ask for no privilege, but we ask for the same impartial treatment as is accorded to Indian commerce in Britain. If such a provision were incorporated, either by instrument or in the statute itself, many of our apprehensions as to the future would vanish and we should find ourself ready to support many of the propositions put forward by leaders of Indian opinion.

"I have nothing more to say in regard to this report except this, that we congratulate its authors upon the document which they have presented. We trust and believe that it will receive the consideration which it deserves at the hands of the Simon Commission. We believe it has in it opportunities for co-operation amongst all sections and races in this country, and and I speak on behalf of the Europeans, when I say this, that we do hold out to those who are endeavouring to advance the political status of Madras the hand of co-operation, and we trust they will take it. We do feel increasingly the urgent need for a constitutional settlement. We feel that it becomes more urgent as time goes on. It is urgent because unless and until political conditions in this country are settled, there cannot be any rapid development in trade and commerce. We feel also that there are in the situation to-day elements of danger not only to Government but to many of the national leaders of India. I need not enter into those elements. They are at the bottom of all social and economic disturbance in the life of the masses to-day. But those elements are increasing in importance, and I venture to suggest that unless India can achieve within the near future some settled condition of political development, there is a danger lest this new force will not only sweep away that order in the life of the country for which the British Government in this country is largely responsible but will also sweep away in its onrush those stable factors which contribute towards the progress and prosperity of the country. I therefore have pleasure in supporting the motion that this report be forwarded to the Simon Commission for consideration."

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* Mr. V. I. MUNISWAMI PILLAI :—" Mr. President, I rise to congratulate the Chairman and the members of the Committee for the able work they have done in preparing this memorandum to the Simon Commission. Sir, if I begin to observe certain things, it is in connexion with the depressed classes which form one-sixth of the population of this country. Sir, at page 8 of the report, it is said 'District and taluk boards and municipal councils have been almost completely democratized and de-officialized.' Sir, there are still municipal councils and district boards unrepresented by this community, and if any member of this community stands for election, they think that the very portals of the Council chambers will be polluted if such members were returned.

" At page 11, the Committee have recommended 'the grant of full provincial autonomy or full responsible Government.' Personally I say it is good but considering the position of the depressed classes, their backwardness in education and their economic state, I should not think that we could embrace this provincial autonomy. Whatever form of responsible Government the framers of the constitution may give us, I would suggest that proper safeguards must be provided to give the depressed classes a share in the political power of the land.

" On page 16, we see that the Committee has reported that the number of electors belonging to the depressed classes is only 4 per cent of the total voters. But under franchise they say that they are not in favour at present of an extension of the franchise. I quite see the difficulty of the authors of the report, but what I would advance is this, that unless the depressed classes are given an increased franchise, they will not be able to come in large numbers into the provincial and imperial legislatures. One of the complaints, the report says, is that in the public services all communities are not well represented. From practical experience I know that in every district and taluk, in all the higher offices, a very small number of depressed class people have found place. And if there is any complaint it is from the depressed classes, and I am sure the British Government, when dealing with this question, will see that according to population the recruitment to service is made from the depressed classes. Another thing is no provision has been made for the representation of agricultural labour. Sir, in the report submitted by the Government of Madras, I find that they have suggested twelve seats for the depressed classes. I do not know whether they include agricultural labour. Whatever it may be, most of the agricultural labourers are drawn from the depressed classes, and there must be a certain amount of representation for agricultural labour in the legislatures, local and imperial.

" One other point I would draw attention to is that under the 'Defence of India,' it is said 'Recruitment to officerships should be open to all classes.' I think that a special preference should be given to the families of depressed classes who have done meritorious service to the Crown. Sir, it is admitted that during the past wars the depressed classes have shed their blood at the altar of service and had been loyal to the very core, and under 'Defence of India' the depressed classes must be given a very big share. With these observations, I again congratulate the members and the Chairman of this Committee."

* Mr. C. GOPALA MENON :—" Sir, I wish to express my appreciation of the work done by Sir A. P. Patro, Chairman of the Committee, and his colleagues 12–30 p.m.

in bringing out this report. They undertook the work in the teeth of opposition but they did the work because they considered it a patriotic duty and that it is for the lasting good of the province. It must, also, be pointed out that they did the work on equal terms with the Simon Committee ; they had the liberty of seeing every document and memoranda that were submitted to the Commission and hearing every witness that came up before the Commission. The recommendations of the committee, all put together, constitute a case for the grant of provincial autonomy and full responsible Government to the province. Their claim for provincial autonomy is based as pointed out in the report not on the working of diarchy for the past ten years, but on the plea of the forces that were in existence at the time the 1917 declaration was made. How far the forces which existed at the time of Montague-Chelmsford report still exist and how far they have been strengthened for the last ten years are factors that go to determine the further advance in granting political reforms. These forces may be mentioned as the country's leaning towards democracy, India's fidelity to Great Britain, war services, announcement of the 1917 declaration, the political awakening in India, the progress of local self-government institutions, the responsible positions held by Indians since Minto-Morley reforms, and the progress of non-official elements of the Legislative Councils since Morley's time.

"The report says in a general way that the progress made in the last ten years under Indian direction in education, local self-government and in general enterprise amply justifies further political advance. It would have been better if the committee in recording this statement showed by giving statistics how far local self-government institutions have progressed during the decade under ministerial administration in respect of sources of revenue, systematic expenditure, political education of the masses by means of the franchise, progress of panchayats and unions in villages, administrative capacity for local conditions, educational and sanitary progress and communications. It would have been better if they had examined the financial relations between the provincial Government and the local bodies, in respect of further financial powers to be delegated to local bodies, how far more resources could be left to them to be tapped and how far their function could be expanded to approximate to, say, to the County Councils in Great Britain in regard to the control of public servants of the area, police surveillance, etc. The Committee should also have examined the necessity for the several, present local bodies, and for an equitable re-allocation of functions without causing friction between two local authorities. In cases of dispute between local authorities in England there is an institution called the Local Self-Government Board to whom all questions of dispute are submitted for arbitration. Whether such a body needs to be created under the new reforms should have been examined and recommendations made by the Committee. With regard to franchise, I find that the Committee are for retaining the present system of franchise and voted for single member constituencies. Of course, there is difference of opinion on this question and as for my part, I am of opinion, that plural constituencies are better than single constituencies."

"With regard to the second chamber, I find that the memorandum of the Madras Government have wisely voted for a single house but the committee are for the creation of a second chamber. I do not agree with the

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report in this respect. In so far as the franchise is so limited and the percentage of electors to the population is so small, one cannot be afraid of mob-legislation for a long time to come in India and the necessity for a revising second chamber is hard to see."

"Coming now to the question of finance, I find that question has been brushed aside by the Committee by merely mentioning that they fully agree with the views expressed in the memorandum of the Madras Government. This is the last sentence under paragraph 'financial' in the report dealing with finance :—'If the Meston Settlement is to be revised, there should be no loss to any province of the revenues which it now enjoys.' Sir, it would have been better if the Committee had given an allocation of financial relations between this province and the central Government so as to allow an equitable distribution of the resources of the country. We all know that the central Government has to be made as strong as possible, and therefore a contribution from provincial Governments will be necessary and for that purpose it would have been better if the Committee had suggested a method of allocation of the funds between the provincial and central Governments. As it is, they (the Committee) are satisfied with the Meston Settlement while on the other hand we have been agitating for the abolition of the Meston Settlement. This aspect of the financial relationship should have been closely examined."

* The hon. the PRESIDENT :—"I do not think the hon. Member will be justified in making the House wait."

Mr. C. GOPALA MENON :—"I heartily support the motion for the adoption of the report."

* Mr. A. B. SHETTY :—"Mr. President, Sir, I shall confine my observations only to two matters, viz., the question of communal electorates and the proposal to have a second chamber. The proposals made in this report are more or less similar to those made in the Government memorandum so far as they relate to the provincial Government. The new constitution is proposed to be modelled in the main on the British Parliamentary system. Now, Sir, it is well known that the (British) Parliamentary form of Government is based on the existence of established party politics. The system of party organizations based on political programmes has not yet grown up in this country. We must create the conditions necessary for such a growth, if we want to work successfully any system of responsible Government.

"The system of communal electorates is admitted by the Madras Government in their memorandum to be contrary to the true spirit of representative institutions. The Montagu-Chelmsford's report has also condemned it on the ground that it is opposed to the teaching of history, that it will teach men to think as partisans and not as citizens and perpetuate class division and that it will be a serious obstacle to the growth of responsible Government. The distinguished authors of this report felt, however, compelled to recommend its retention for some time, because of the Lucknow pact and the pledge given by the Government to the Muhammadans. But they expressed the hope that a time would come when communal electorates would be voluntarily given up by the people who wanted it. At a time like this when we are taking a big step towards self-government, it will be very unfortunate if the system of communal electorates is to be allowed to continue as proposed by this Simon Committee. If we are to evolve a party system based on political differences

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and not on class distinctions, we must give up communal electorates. It is noteworthy that a number of All-India Christian Conferences have expressed themselves to be in favour of joint electorates, though the Christians in this province are not prepared to go with them. The Sikhs also have agreed to give up the privilege of a separate electorate. A considerable section of progressive Muslims too in this country have agreed to give up communal electorates, if there be reservation of seats for them. It is on the basis of the agreement reached at the All-Parties Conference that the Nehru Committee has made its proposals in regard to the adoption of a joint electorate with reservation of seats. These proposals deserve, therefore, the best consideration of the Government. If the Muslims and other minority communities could be persuaded to agree to the abolition of communal electorates, it would be a great step towards national unification. The Ceylon Reforms Enquiry Committee has recommended the abolition of communal electorates and I trust this will be taken note of and the advantages and possibilities of doing away with communal electorates will be examined by the Government, though this Simon Committee has not made such a recommendation. It is true that Muslims and other minority communities are distrustful of the Hindu majority but special safeguards may be provided for them in the constitution and guarantees given for the educational and economic advances of backward communities as proposed by the Nehru Committee. The provision of a second chamber proposed in the report of this Committee will further safeguard the interest of minorities. My hon. Friends, Mr. James and Mr. Gopala Menon, expressed themselves against the constitution of a second chamber but they did not give any reasons for doing so. The second chamber has been almost universally adopted in countries where the popular form of government has been established. It is intended for the purpose of revising legislation passed by the popular branch of the legislature, for preventing hasty legislation and for protecting the interests of minority communities. The Montford Report decided for the time against bicameral institutions in the provinces but it has said that, as provincial councils approach more closely to parliamentary forms, the need for second chambers may be all the more felt. Accordingly under section 84-A of the Government of India Act, the question of establishing second chambers in the local legislatures has been put down as one of the points for inquiry by the next Commission. A second chamber, if its powers and functions are restricted, cannot by any means be said to be against the democratic principle. Political thinkers are generally agreed as to the need for a second chamber, a need which is more and more felt with the growth of democracy. The second chamber must be so constituted as to give proper representation to men of age, ability and experience who will not ordinarily seek election to the lower house. It must also give more effective representation to minorities so that all exploitation of and injustice to minority communities may become impossible. If we have such a second chamber, the popular chamber can be made an entirely democratic body with no communal or special electorates. The popular chamber will then educate the people to nationalism. I am, therefore, in sympathy with the committee's proposal to have a second chamber and I trust it will make it easier for us to drop communal electorates for the lower house."

* The hon. the PRESIDENT :—"I take it that the House is ready for a vote.

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"The question is—

'*that the report of the Committee of this Council elected in pursuance of the resolution of this Council, dated 4th September 1928, to confer with the Indian Statutory Commission be taken into consideration and that it be forwarded to the commission*'."

The motion was put and carried.

IV

THE MADRAS SERVICES COMMISSION BILL.

*The hon. the PRESIDENT:—"The Council will now take up for consideration the Madras Services Commission Bill of 1929." 12-45 p.m.

Clause 4.

Clause 4 was put, passed and added to the Bill.

Clause 5.

Clause 5 was put, passed and added to the Bill.

Clause 6.

* Mr. C. V. VENKATARAMANA AYYANGAR:—"I beg to move—

'*that clause* 6 *of the Bill be omitted*'.

"Clause 6, as you know, deals with appointment and salary of the Secretary to the Commission and I propose that the clause be omitted. I do not think that it is usual, Sir, that, in such Bills where provision is made for the appointment of any particular commissions or departments, even the Secretary is appointed by the Act itself. We can understand the Commission being appointed under the Statute itself, but there is absolutely no reason why the Secretary of the Commission also is to be appointed under the Act. Our complaint is that the Commission is a very costly business and whenever and wherever it is possible to reduce the cost we must do so. In this case, we have not only provided for the appointment of the Secretary but his salary is practically fixed at Rs. 1,500. Of course, it may be said that this amount has been given as the maximum limit and not the minimum. But our experience of the last nine years and more tells us that whenever a maximum is fixed for a post, any officer who is appointed to that post is at once given the maximum pay with a possible request sooner or later that his pay should be increased. In this case that the pay of the Secretary of the Commission should be fixed at Rs. 1,500 seems to be very, very high. I believe the Secretary of this Legislative Council whose functions are, I think, varied and very difficult to perform, gets only Rs. 1,000 and there is no reason at all why the Secretary of this Commission should get Rs. 1,500. There is again, Sir, a proviso in the clause that if the person so appointed is at the time of his appointment a Government servant his salary shall be fixed with the previous sanction of the Local Government.

"It may be said that this proviso will prevent the indiscriminate appointment of a Government servant as the Secretary. So far as I am concerned, it does not very much matter whether the Secretary is to be a Government servant or not. Probably if Government servants are appointed it will be a great advantage to the Commission because these Government servants would have had sufficient experience in performing executive functions. There is no meaning in saying that we have provided a proviso

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creating a difficulty for the Government, as it were, in appointing a Government servant. The one important objection to this clause is that once we put this appointment of Secretary as a provision under this Act, his salary becomes non-votable. The question is as to whether it is necessary that even the salary of the Secretary of this Commission should become non-votable. We take it that this appointment is to be made in India and I do not think the Secretary of State is to be called upon to make this appointment and that the selection will be made by him. Therefore I take it that under ordinary circumstances the pay of this officer will be votable but for this clause. That is one of the very good reasons as to why we should not have this clause. If it is not put in this Bill, it will be included in the budget every year and certainly the Finance Committee will have an opportunity of going into the question when Government make proposals for additional expenditure. Then the Legislative Council also will have a right to go into it. As it is, neither the Government nor even this Council will have any chance of dealing with this question and our idea is, that this salary of Rs 1,500 is very, very high. In this connexion I may state that even the Indian Officers' Association when submitting a memorandum to the Lee Commission, I believe, stated that when Europeans were not demanding very high salaries, the Indians, as a matter of rule, should be satisfied with the maximum of Rs. 1,000. Sir, we are asking for *Swaraj* chiefly with a view, in addition to other things, to have a cheap executive functioning in this country. Our experience during the last seven years points to the fact that the expenses of the local Government have gone up like anything, from 10 crores to 17 crores, a very high jump in seven years which means about a crore every year. Practically, a large portion of it has gone to the pockets of Government servants, whether they are Indians or Europeans. There should be a limit to the maximum percentage of salaries to be paid to Government servants. I would appeal to the Government to refer to the famous Kautilya's Artha Sastra which book was once referred to by Sir Charles Todhunter as a thing to be followed. I believe Kautilya says that the total cost of all the establishments of a Government should not at any time exceed more than 25 per cent of the total revenues collected by the Government. I am afraid that so far as the local Government is concerned, it is more than 75 per cent of the total revenues that goes into the pockets of officers. The sooner we make an attempt the better for us. In the *Swaraj* we expect to come we must have to reduce taxation and that would be possible only if the salaries of all officers are reduced. Here is a case where we are creating a new Commission and the suggestion that the Secretary of that Commission is to have his pay fixed is a novelty. Therefore, we are trying our best to see that this clause is omitted from the Bill. Our idea is to show that we are paving our way for conducting the *Swaraj* Government—we will be getting it one day or other—in the most economical manner and this will be a touch-stone for us. If the Government want a Commission, by all means let them have it. If the Government want the Commission to be a creature of theirs, by all means let them have it as their creature. If they want that the Commission should not only be their creature receiving fat salaries but that they should be dancing at the doors of the Government, by all means let them appoint such a Commission But I ask whether it is necessary that even the Secretary of that Commission should be a man with a big salary appointed by them. That is one point which we want the House to seriously consider. We want that either the Government or the Commission should come before the House whenever occasions may arise either for increase or reduction of salary, as it may suit

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them. Certainly, we have already stated in our adjournment motion that the functions of this Commission are not very serious and it is nothing but an honourable body where some persons will be able to get some patronage, doing whatever the Government ask them to do. As I said already, by all means let the Government have such a Commission. But having appointed a Commission, why should we give them a costly Secretary. It is said that the Secretary must be intelligent and at the same time obedient. If there is not a good deal of difference between the salary of the Secretary and that of the Commissioners, then how would the Secretary be obedient to the Commissioners? Therefore, I would strongly ask this House to accept my motion. This is a small matter after all and it does not go to the root of the question of appointment of the Commission. It only says that we in this Council are not prepared to sign blank cheques and give away large sums of money which do not belong to us but which we collect from the poor ryots to be spent by the Commission in any way they chose. By omitting this clause the House will not be doing anything to put an end to the Commission or to obstruct the creation of the Commission. This House will be doing a very good thing if they remove this clause and do not give a blank cheque to the Government to appoint anybody whom it pleases on such a high salary as Rs. 1,500. There will be no qualifications fixed and once an officer is appointed there will be no power on earth to reduce his salary. Therefore I strongly recommend this amendment for the acceptance of the House."

Mr. ABDUL HAMEED KHAN :—" I second it. "

* The hon. Mr. A. Y. G. CAMPBELL :—" Sir, the object of this clause as well as of certain other clauses in this Bill is to enable the Commission to carry out its duties free of all political influences which might be brought to bear upon them by the Ministerial party. If the Commission were deprived by the Legislative Council of the pay of the Secretary and the staff and of money for office expenses, its expenses, its functions would be very materially hampered. The Legislative Council could render the provisions of the Bill 1 p.m. absolutely inoperative. For these reasons, it is proposed in this clause and the following one to make provision for the pay of the Secretary, and of the staff and for the office expenses of the Commission so that they shall not be liable to any vote by the Legislative Council. It has to be borne in mind that the Ministry by means of its majority in the Legislative Council will be able to carry out their own proposals, and to withhold, if they so desire, any provision for the Secretary and the staff of the Commission which is 'votable'."

* Mr. S. SATYAMURTI :—" Sir, I entirely agree with my hon. Friend the Revenue Member, that this Commission should be allowed to function without being interfered with in its work by political parties or political influence. If this Bill had made this Commission practically autonomous in all matters of recruitment and patronage, I could have understood the argument of the hon. the Revenue Member. May I invite my hon. Friend to look at clause 12 of this Bill? 'In the exercise of its function under sections 9, 10 and 11, the Commission shall observe the rules, if any, made by the Local Government regarding the constitution of or recruitment to any provincial or subordinate service of special post.' I take it, Sir, the Local Government will mean very shortly a Ministry responsible to this House. If that Ministry is to make rules with regard to recruitment and so on and if this Commission is only to carry out those rules in its work, I should like to know what becomes of the somewhat powerful argument which my

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hon. Friend advanced that this Commission ought to be free from political influence. May I ask whether he will kindly meet this point and whether he expects the Local Government not to make rules that will commend themselves to a majority of the House. I take his own argument. His argument is that the Ministry is presumed to have a majority. I shall be glad if it is so because we have seen Ministers functioning without any majority in this House. May I ask him to answer my question why the rules should not be made by the Legislative Council? When these rules are made, they ought to commend themselves to the majority of this House. If they do not, the Local Government will be censured. So they are not to make any change in the rules made for the constitution of these services. If my hon. Friend would agree to omit all such clauses in the Bill as seek to fetter to any extent the functions of this Commission which I agree with him ought to be entirely unfettered, I can understand his position. As it is, Sir, it seems to me that clause 6 of the Bill is wholly unnecessary unless it be to make even the salary of the Secretary and all the servants of this Commission non-votable. May I also invite the attention of the House to the fact that the Registrar of the High Court and his establishment are subject to the vote of this hon. House? I am sure every hon. Member agrees that the High Court ought, certainly, to be independent of any political influence. I am glad to say that High Courts in our country have on the whole maintained that independence, but the Registrar of the High Court and the whole establishment of the High Court come under review of this House every time when the budget is presented. Is it seriously suggested that, because the ministerial establishment of the High Court and their salaries have to be voted by this House, the independence of the judges is affected?

"May I give one other example? His Excellency the Governor ought to be above all political considerations. His bodyguard, his band, his furniture, etc., come under the vote of this House. Is it suggested that because this House has got the power of voting on these personal conveniences of His Excellency the Governor including his tour expenses—my hon. Friend suggests dietary charges—we are likely to fetter the political independence of the Governor?

"Sir, I want to advance one more argument. The other day it was said on my motion for the adjournment of the consideration of this Bill for one year that we must have this Commission as early as possible and that if there were any defects found in its working, we can remove them afterwards. May I use that argument, and say that we may well accept this amendment, remove this clause and see how the Bill works for the next two or three years and if it is found that this House is interfering too much with the discretion or independence of the Commission, then it will be time enough to come before this House for the salary of the Secretary being removed from the vote of this House? I feel, Mr. President, that, while the Commission should be independent and exercise its patronage without any political influence, there should be some power somewhere to control them. After all, to err is human; we may appoint the very best men; we may make the best provisions. But it seems to me, Mr. President, that in the last resort this House should have power to tell this Commission what they are about. I am sure every hon. Member of this House will be convinced that it is not likely that this House will lightly interfere with the discretion of this Commission until and unless a very strong case is made out. For all these reasons, and with a view to

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improve this Bill and have a really independent Commission, the incorporation in it of a similar provision as we have with regard to the High Court and His Excellency the Governor can very well be accepted. I therefore commend this amendment to the acceptance of the House."

* Mr. J. A. Saldanha :—" Sir, I am afraid that this objection on the part of the hon. Revenue Member comes with some inconsistency, because when the appointment of the Commissioners themselves is made by the Governor in Council, I do not see any reason why the Legislature should not have some voice in the appointment of the Secretariat of this Commission. Besides that, Sir, these Commissioners can be removed by the Governor in Council subject of course to the approval of His Excellency the Governor. When the Governor in Council finds that the Commission shows some real independence, I am sure that the Commissioners will be removed by the Governor in Council. Where is the independence of this Commission at all, when the Commissioners can be appointed and removed at the pleasure of the Governor in Council? Now the hon. Revenue Member is very anxious to secure the independence of the Secretary of the Commission from the influences and votes of the Legislature. This is inconsistent.

" Sir, we have tabled amendments to that clause, but unfortunately the discussion on the report of the Madras Simon Committee was finished early and we could not be here in time. We thought there would be discussion for a long time on that report; we thought that at least two hours would be devoted to that business. But it was finished earlier and we were quite taken aback. . . . . ."

* The hon. Mr. A. Y. G. Campbell :—" Is the hon. Member in order to refer to the discussion on the Report of the Simon Committee ?"

* Mr. J. A. Saldanha :—" The fact is there has been some delay in our coming in. . ."

* The hon. the President :—" I do not think that will be relevant to the discussion."

* Mr. J. A. Saldanha :—" The Council has passed the previous clauses of the Bill without considering the amendments that have been tabled. The Council has accepted the provisions of the Bill that the Commissioners might be appointed and removed by the Governor in Council. Then where is the independence of that body? It will not be an independent body; it will be a wing of the Secretariat, a weak wing of the Secretariat under the thumb of the Governor in Council and the departments of the Secretariat. It is not fair on the part of the hon. the Revenue Member to object to the Legislative Council having some control over the vagaries of this Commission. The Commission will be under the whims and fancies of the Governor in Council and of the Ministry also and their Secretaries. It will not be an independent body. I appeal to the dignity and prestige of this House and ask whether we should not exercise occasionally some supervision over the arbitrary discretion of the Commission. I appeal to the House to omit this clause."

Mr. Abdul Hameed Khan :—" Mr. President, Sir, I do not think that the Government need feel worried over this question because, after all, what they intend to legislate will result in giving power to the Governor in Council. As things are to-day and in the present constitution of the Government, it may be possible to keep out the present Ministry from exercising its

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influence over the services in the province. But as, we all know, it will not be far when we will bring into existence a cabinet consisting of Ministers only, who, along with the Governor, will form the Governor in Council. In these circumstances I do not know how, with a clause like the present and without the Council having no say in the matter, it will be possible to keep the Ministry from interfering or influencing the discretion of the Commission. The clause, as it stands, says that the Governor in Council will have power to appoint or dismiss the Commissioners; of course no such order can be passed without the personal concurrence of His Excellency the Governor. I do not think that the argument that the Ministry will have no voice in the appointment to public services will hold water. I think that it is incumbent that the Legislature should have some voice in some form or other over the activities of the Commission even though it should not exercise its influence over the details of the functions of the Commission. I have, therefore, great pleasure in supporting the amendment."

1-15. p.m. * Mr. H. F. P. Hearson :—"Mr. President, Sir, I rise to oppose this amendment. This amendment is, as far as I can see, supported by two arguments. One is that the inclusion of clauses making the salaries of the Secretary and staff part of the Bill makes them non-votable, and therefore this Council is thereby deprived of any opportunity of discussing or criticising the work of the Commission. This annual opportunity of discussion and criticism is very highly valued and appreciated by the Council in the case of other departments not dissimilar to this Commission, notably the High Court, and my Colleagues and I have every sympathy with this point of view. This object however, we feel, can be equally well achieved by the omission of clause 7.

"The second reason put forward in favour of this amendment is that the salary of the Secretary suggested at a maximum of Rs. 1,500 a month is too high. My Colleagues and I do not agree with this view. We appreciate that the work of the Commission will be important and arduous and that it is highly essential that a Secretary of first-class ability should be available for the Commission, and that to achieve this an adequate salary is necessary, and we do not agree that a maximum of Rs. 1,500 is too high. The hon. Member for the University has stated that Members of this Council will not lightly interfere with the working of the Commission by taking advantage of the opportunity of discussion and moving cuts in budget debates. Seeing however that his Colleague the hon. Mover of this amendment is of opinion that this maximum salary is too high and that he is already ready to move a motion reducing such salary, my Colleagues and I feel that the danger of throwing open the salary of the Secretary to a budget debate is a considerable one, and we therefore are strongly of opinion that clause 6 should be retained in the Bill.

"As regards clause 7, however, which refers to the clerical staff, etc., of the Commission, we are inclined to the opinion that that clause might well be omitted."

Mr. A. Kaleswara Rao :—"Mr. President, the opposition to this amendment has come on two grounds, one that by removing this clause, political considerations will prevail which will hamper the work of the Commission; and two, that clause 7 is sufficient to bring the work of the

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Commission before this House from time to time to enable this House to express its opinion upon the work done. I submit that both these arguments are fallacious. In the first place, while the Commission itself is made to depend entirely on the executive of the day for its existence and continuance, I do not see how political considerations could not come into play in the appointment of the Commissioners and the Chairman. Under clause 4, the Commissioners have got to be appointed by the Executive Government, now by the Governor in Council and hereafter by the Governor and his Ministers. Of course, His Excellency the Governor will not exercise his discretion against the advice of the Cabinet in future, and therefore it is the political party in power, that is the Ministry in power, that will control the appointment of the Commissioners. The Commissioners are not made absolutely independent of the Local Government like the High Court Judges. The Commissioners can be removed at the pleasure of the Local Government. I submit there is full play for political feelings here. As pointed out by Mr. Saldanha, we had no opportunity to move our amendments in respect of clause 4 and that clause has been passed already. It is therefore right that the appointment of the Secretary and his pay should not be fixed by statute but should come for the vote of this House year after year at the time of the budget, so that the House may have then an opportunity of discussing the way in which the Commissioners are appointed and the way in which the work is done by the Commission. With regard to the argument that clause 7 is quite sufficient, I do not understand the point at all. Clause 7 says that the Commission may spend up to Rs. 1,000 for the appointment of such staff as may be necessary and also for contingencies, stationery, etc. Therefore, by giving a blank cheque for Rs. 1,000 the Commissioners themselves can appoint whatever staff they want and they need not come to the vote of the House for that purpose. Therefore I say both the clauses 6 and 7 should go, but our amendment to clause 7 will come later. It is thus clear that both the arguments advanced against this amendment are fallacious and there should be at least this safeguard that the whole thing should come before this House for discussion at least during the budget time every year, so that this popular body elected by the people may have an opportunity of expressing its opinion on the work of the Commission and controlling the idiosyncracies of the executive."

* The hon. the PRESIDENT :—"The question is
'*Omit clause* 6'."

The amendment was put and declared lost. A poll was demanded and the House divided thus :--

Ayes.

1. Mr. P. C. Venkatapathi Raju.
2. ,, K. Koti Reddi.
3. ,, Sami Venkatachalam Chetti.
4. ,, C. V. Venkataramana Ayyangar.
5. ,, S. Satyamurti.
6. ,, J. A. Saldanha.
7. ,, G. Harisarvottama Rao.
8. ,, Abdul Hameed Khan.
9. ,, L. K. Tulasiram.
10. ,, K. V. R. Swami.
11. ,, D. Narayana Raju.
12. ,, K. R. Karant.
13. ,, P. Anjaneyulu.
14. ,, Obi Reddi.
15. ,, C. Ramasomayajulu.
16. Mr. T. Adinarayana Chettiyar.
17. Sriman Biswanath Das Mahasayo.
18. Mr. A. Kaleswara Rao.
19. ,, K. Uppi Sahib.
20. ,, M. Narayana Rao.
21. ,, C. N. Muthuranga Mudaliyar.
22. ,, K. Krishnaswami Nayakar.
23. ,, C. Venkatarangam Nayudu.
24. ,, A. Ranganatha Mudaliyar.
25. Diwan Bahadur R. N. Arogyaswami Mudaliyar.
26. Mr. R. Nagan Gowda.
27. ,, C. R. Parthasarathi Ayyangar.
28. ,, K. R. Venkatarama Ayyar.

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Noes.

1. The hon. Khan Bahadur Sir Muhammad Usman Sahib Bahadur.
2. „ Sir Thomas Moir.
3. „ Diwan Bahadur M. Krishnan Nayar.
4. „ Mr. A. Y. G. Campbell.
5. „ Mr. M. R. Seturatnam Ayyar.
6. „ Mr. S. Muthiah Mudaliyar.
7. „ Dr. P. Subbarayan.
8. Dr. (Mrs.) S. Muthulakshmi Reddi.
9. Diwan Bahadur P. Kesava Pillai.
10. Maharaja of Jeypore.
11. Mr. Alladi Krishnaswami Ayyar
12. Mr. Hilton Brown.
13. „ H. A. Watson.
14. „ A. G. Leach.
15. „ J. Gray.
16. „ S. V. Ramamurti.
17. „ C. B. Cotterell.
18. „ V. Ch. John
19. „ M. A. Manikkavelu Nayakar.
20. Syed Tajudin Sahib Bahadur.
21. Mr. C. D. Appavu Chettiyar.
22. „ H. B. Ari Gowder.
23. „ A. B. Shetty.
24. „ J. Bheemayya.
25. „ P. J. Gnanavaram Pillai.
26. Mahmud Schamnad Sahib Bahadur.
27. The Zamindar of Singampatti.
28. Mr. J. Kuppuswami.
29. Subadar-Major S. A. Nanjappah Bahadur.
30. Mr. T. M. Narayanaswami Pillai.
31. „ N. Siva Raj.
32. „ M. V. Gangadhara Siva.
33. „ V. I. Muniswami Pillai.
34. „ W. P. A. Soundarapandian.
35. „ S. Subrahmanya Moopanar.
36. „ S. Venkiah.
37. Rao Sahib R. Srinivasan.
38. Mr. V. Ramjee Rao.
39. „ G. R. Premayya.
40. „ H. F. P. Hearson.
41. „ S. Arpudaswami Udayar.
42. „ C. E. Wood.
43. „ A. J. Leech.
44. „ F. E. James.
45. Raja of Kallikota.
46 Mr. B. Ramachandra Reddi.
47. Rao Bahadur C. S. Ratnasabapathi Mudaliyar.
48 Rao Bahadur Sir A. P. Patro.
49 Diwan Bahadur P. C. Ethirajulu Nayudu.
50. The Maharaja of Venkatagiri.
51. Mr. P. T. Rajan.
52. Rao Bahadur S. Ellappa Chettiyar.
53. Khan Bahadur Syed Abdul Razaack Sahib Bahadur.
54. Mr. Khadir Muhi-ud-din Sahib.
55 Rao Bahadur B. Muniswami Nayudu.
56. Mr. A. V. Bhanoji Rao.

Ayes 28. *Noes* 56.

The amendment was lost.

* The hon. the PRESIDENT :—"The Council will continue to sit till 1-45 p.m. and re-assemble after lunch at 3 o'clock."

* Sriman BISWANATH DAS Mahasayo :—"Mr. President, Sir, I beg to move

'*that in line 3, the words " and five hundred " be omitted.*'

"Sir, this amendment cuts down the pay of the Secretary to Rs. 1,000 from Rs. 1,500. Hon. Members of this House have just now passed clause 6 making the pay of the Secretary non-votable, so as to keep it out of the purview of the discussions of this House. No case has been made out either by the Select Committee or by the hon. Member in charge of the Bill as to why the pay of the Secretary should be Rs. 1,500. In this connexion, let me mention that the Indian Officers' Association in its memorandum submitted to the Lee Commission very frankly, fairly and with a patriotism, all its own, stated that a pay of Rs. 1,000 was a satisfactory pay for all the higher services in India. Sir, ours is a poor country, a country where the average annual income of the people does not exceed Rs. 36 a year. It is therefore unfair to fix a pay of Rs. 1,500 here, as in other countries which are richer and more prosperous. I may also remind hon. Members of this House that in the first Council, 1921–23, a resolution was moved—and I think, Sir, you were also a party to that resolution—when the Council unanimously decided that, so far as the pay of the higher officers was concerned, a third of it should be reduced, having regard to the poverty of the country. Sir, a poor country cannot afford to have too many high paid offices and much less, pay high salaries to its officers.

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Looking at the minutes of dissent appended to this Public Services Commission Bill I find a number of hon. Members of this House have recorded their protest against the high rate of salaries that have been fixed by the Government and by the majority of the Members of the Select Committee.

"That being so, I think it is now time that hon. Members of this House should right the wrong that has been done to the public finances of the country. Sir, my hon. Friend Mr. Hearson said, while discussing the last clause, that he would be quite willing to bring the pay of the Secretary within the purview of the discussion of the Legislative Council. I vainly waited to see a motion of that kind from him. I therefore request you to see that in view of the security that has been offered, in view of the poverty of the country, and in view of the previous commitments of this House, it is unfair to fix the salary of the Secretary at Rs. 1,500 a month. The pay of the Registrar of the Madras University is fixed at a thousand rupees, though he has been recruited from time to time only on a short tenure of 4 or 5 years. The Registrar of the Andhra University is paid much less; and the duties of these Registrars are far more onerous than those which have to be performed by the Secretary to the Public Services Commission. I think, to my recollection, the highest pay that is offered to a Member of the Madras Provincial Service is Rs. 800, unless they are taken to the selection cadre. Moreover, the highest pay that we offer to the Sub-Judges is Rs. 1,200. So, I think it is very unfair on our part to fix the maximum salary of Rs. 1,500 to the Secretary to the Commission, who will be after all at the mercy of the Commission and I feel sure that they will very soon exercise their discretion and give him the maximum pay at their pleasure. With these remarks, Sir, I move that the pay of the Secretary to the Public Service Commission be reduced from Rs. 1,500 to Rs. 1,000 a month."

Mr. R. Nagan Gowda :—" Mr. President, Sir, I wish to second the motion made by my hon. Friend, Mr. Biswanath Das. Sir, in doing so, I wish to take exception to one or two statements that the hon. Mover has made. Sir, if I understood him rightly, he said it may be all right in other countries for the Secretaries and others to get higher salaries, but here in a poor country like ours, we ought not to pay such high salaries comparable to the pay in other countries. Sir, I wish to state that this salary of Rs. 1,500 will be high almost anywhere in the world. In the United States, it would be equivalent in its purchasing power to 15 hundred dollars. In the whole of the United States I do not know of a single Member of Government getting more than a thousand dollars. Mr. Hoover, while he was the Secretary of the Interior in the last Cabinet was getting but a thousand dollars, which would be equivalent to our thousand rupees in its purchasing capacity. And these salaries are really very high when we compare them not even with the average earnings of the people here, but with the living wage in this country. I am sure any economist would agree with me when I say that Rs. 75 to Rs. 100 would be a decent living wage in this country and to pay more than ten or even fifteen times that amount, simply because he is a Secretary or simply because the Government want to favour a particular person, for what else is it?—to pay ten or fifteen times the living wage or almost fifty times the average earning capacity of a citizen in this country is doing a great disservice to the people of this country. Sir, in this country, by paying such huge salaries you are creating a wide gulf between the masses of the people and the officials who, receiving huge salaries fail to understand the difficulties of the poor masses. After all, these gentlemen might perhaps come from families eating rice and pepper water and in paying

the Rs. 500 or Rs. 1,000 each what is the object achieved except wasting public money. I therefore have great pleasure in seconding the motion made by my hon. Friend, Mr. Biswanath Das."

* The hon. Mr. A. Y. G. CAMPBELL :—" Mr. President, Sir, I am sorry I cannot accept the motion, but I would like to correct one or two mistakes which were perhaps unintentionally made by both the Mover and the Seconder. The maximum pay of a Sub-Judge or a Deputy Collector in the selection grade is about Rs. 1,200 and they have opportunities of rising still higher as Collectors or District Judges on very much higher salaries."

Mr. R. NAGAN GOWDA :—" I think those salaries also are unjust."

* The hon. Mr. A. Y. G. CAMPBELL :—" Mr. Nagan Gowda seems to be under the impression that a rupee is equivalent to a dollar. If you accept a salary in America on fifteen hundred a month, it would be equivalent roughly to 500 dollars a month and so, that argument does not seem to be sound.

" Sir, we want to provide the Commission with the power to appoint a Secretary who will, in their opinion, be able to carry out the ordinary duties with which he will be entrusted. There is no doubt that he will have most important functions to perform and it is desirable that the Commission should not be hampered in their choice by having too low a maximum salary fixed for the appointment of the Secretary. The clause provides for a maximum figure, but it is not necessary for the Commission to give the whole of that amount and especially on the first appointment, and I have no doubt that they will pay whatever amount they find necessary in the public interests to pay for the man they require. The exact figure may be fixed on a careful consideration, but this figure has been fixed by the Select Committee and I think that we should accept the opinion of the Select Committee."

Mr. R. NAGAN GOWDA :—" On a point of personal explanation, Sir. What I said was that the purchasing value of a dollar in the United States is equivalent to the purchasing value of a rupee in India."

Mr. K. R. KARANT :—" Mr. President, Sir, I beg to support the amendment of my hon. Friend, Mr. Biswanath Das. I think that thousand rupees a month is more than enough and there must be some limit to the extravagant expenditure of this Government. I think it was brought to the notice of this House about nine years ago that the expenditure of this Government was somewhere about 1,200 lakhs and in the course of nine years, they have managed to take it to 1,800 lakhs or one and a half times more. So far as these Secretaries are concerned, I think, hon. Members are aware that last year a motion was passed in this House to give relief to the non-gazetted officers, especially in the lower grades and with a slight modification, wherever possible we may also reduce higher salaries. The Government were not good enough to accept that resolution. In every other case, it is our misfortune to find that they take great pleasure in giving abnormal salaries. If it is a case of some benefit to the agricultural ryots in this country, they, instead of doing this, go on increasing the salaries of the higher officers in agricultural reorganization, which will cost three to four lakhs recurring every year, I can assure, that with my little knowledge of local conditions, not a pie will go to the benefit of the poor people.

" Again, in regard to the question of Forests, a resolution was passed in this House some time back . . ."

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* The hon. the PRESIDENT :—"I do not see the relevancy of the case of other departments to this debate."

Mr. K. R. KARANT :—"I want to point out the general extravagance on the part of Government."

* The hon. the PRESIDENT :—"They may be excellent reasons at the time of voting, but are not really important as far as the discussion is concerned."

Mr. K. R. KARANT :—"Sir, I wish to say that we cannot afford to waste money like this if we want to do any real good to the public, like the eradication of malaria or helping the agricultural ryots with subsidiary industries. If we want to do all these things, we must have funds and so we cannot vote for a sum like Rs. 1,500. When we have been asked to vote for a salary of Rs. 1,500 we ought to take all these considerations into account and we cannot afford to pay such salaries, because we have other needs. For these reasons I support the amendment."

* Mr. K. KOTI REDDI :—"Mr. President, Sir, I rise to correct a very false impression in the mind of the hon. the Revenue Member who rose up in order to correct what he termed a misapprehension that some hon. Members here have made. Sir, when Mr. Nagan Gowda told the House that one rupee in this country is equivalent to a dollar in America in its purchasing power, I thought the hon. Revenue Member would understand the implications of the words 'purchasing power'. Everyone of us, I believe, including Mr. Nagan Gowda knows the equivalent value of a dollar is about three or four rupees, but the purchasing power of a dollar in that country is really equivalent to, and not much more than, the purchasing power of a rupee here. What is the value of the silver by itself! We cannot eat silver when we are hungry, nor can we drink it when we are thirsty, and after all, the use of money is only in purchasing the necessaries for the existence of life. From that point of view, the dollar in America is equivalent to the rupee in India. When in a country like America, a country which is really the wealthiest in the world, the highest officers are not paid more than two or three thousand dollars, it is all the more reasonable why the highest officers should be paid not more than Rs. 2,000 in a poor country like this. When such is the case, I really believe that the Secretary to a Commission should not be paid more than Rs. 1,000. I think it is no doubt a question on which a sympathetic view has to be taken, namely when there are so many Secretaries who are paid high salaries, why this Secretary alone should be made to receive less. It looks unfair that we should now try to reduce the salary of the Secretary to this Commission. But, really this is the opportunity that we have. We know that the public expenditure on administration is going from bad to worse. And for every necessary and useful purpose in this country we are told that there is not enough money. The one way of reduction of expenditure will be to cut short the expenditure on officers wherever possible. In the case of officers who are already receiving high salaries, it is not fair and just to reduce their salaries even if possible."

* The hon. the PRESIDENT :—"The Council will now adjourn and reassemble at 3 o'clock."

After Lunch (3 p.m.).

* Mr. K. KOTI REDDI :—"I was going to say, Sir, that the administrative expenses of this province have nearly doubled in a decade and the increase of

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salaries in the higher services of the Government has been, I daresay, very high judging from the standard of the pay that is being paid in the richer countries. I believe, Sir, that in other countries the difference in the pay between the lowest-paid and the highest-paid public servant in the State is nothing more than in the proportion of 1 to 10, whereas in this country the proportion would work out to 1 to 50. Such being the case, Sir, it is in the interests of this province that whenever we have an opportunity of trying to see that the expenses of administration do not multiply, that we should use that opportunity for achieving this end and not feel ourselves satisfied with the satisfaction that since so many things are being allowed, why not this also. Judging from the poverty of the country, Rs. 1,000 per month is a reasonable sum and I have every reason to hope that this amendment will be carried in this Council."

* Mr. P. Anjaneyulu :—"Mr. President, Sir, I thought that the Government when it put the salary at the high pitch of Rs. 1,500 a month had not any particular individual in mind whose services were required as Secretary for this Commission and who would not be prepared to serve as Secretary unless at least that sum was given to him. I did not expect the Government to have bargained with the intelligentsia of the land for the post of Secretary and that intelligentsia refused to serve for a less sum. I fail to understand, without repeating the argument of my hon. Friends, why the Government should not have said that they would pay only a thousand, why they could not accede to this small amendment. They are not particularly interested in seeing that the salaries of the Secretaries are put at a very high rate in the interests of efficiency, for there is no reason to despair of getting proper men for a salary of a thousand rupees a month. That being the case, I appeal to the hon. Member in charge whether he cannot make up his mind to accept this amendment."

Sriman Biswanath Das Mahasayo :—(Rising to speak).

* The hon. the President :—"The hon. Member as the Mover of the amendment has no right of reply."

* Mr. L. K. Tulasiram :—"Mr. President, Sir, after all the request that has been made in the amendment moved by the hon. Member from Ganjam is only to reduce the salary of the Secretary of the Commission from Rs. 1,500 to Rs. 1,000. Sir, it will be admitted on all hands that the duties of the Secretary to the Commission will not be more onerous than those of the Secretary to our Council who has to manage with nearly 132 members. And the salary that we are giving to our Secretary is I understand—I am speaking subject to correction—a maximum of Rs. 1,000. Sir, this country is admittedly very poor and people outside this House are really watching the proceedings of the Council eager to know whether their representatives whom they have sent here after a great deal of difficulty and expense really safeguard the interests of the *plebes* or whether they are helping the administration to squander the resources of the country, slender as they already are. I wish, in this connexion, to draw the attention of my hon. Friend Mr. James representing the European group and always speaking on their behalf—I have great respect for him—to the fact that even in very big firms of the City they do not employ Secretaries on Rs. 1,500. The highest salary that they may be paying in the biggest of mercantile firms to the Secretary who should be doing more work than the Secretary to this Commission is nothing more than a thousand rupees. I appeal to the hon. Members of the European group

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who are supposed to be disinterested and not to take sides one way or other to come to our rescue and see, if our demand is right, that they vote in favour of the amendment. Sir, if the Government are really well minded, if they are generous, if they are really sincere in all their actions, they will not raise the slightest objection to this amendment. But what is the attitude of the Government as we find it? When they catch a fox, their attitude is to persist in saying that it has three legs. We want them to change that attitude if they really want to have co-operation from this side of the House. It is equally incumbent on their part to co-operate with us when we are prepared to meet them. Without saying much, I think that it would be very generous on the part of the Government to accept the amendment.

"Again, Sir, taking the question of pay and pensions, our suspicion, when they are putting the salary of the Secretary to a maximum of Rs. 1,500 is that the place will go to a retired servant of Government who will be enabled to draw a fat pension and go home to enjoy in the shades of Lancashire or Yorkshire. It is also another reason why we feel obliged to curtail the salary, so that the post may go to a son of the soil who will be true to the salt that he eats and remain here.

"With these words, Sir, I have great pleasure in supporting the amendment so ably moved by my hon. Friend from Ganjam which I expect the Government will have the wisdom to accept."

* The hon. the PRESIDENT :—"The question is—

'*That in line 3 the words "and five hundred" be omitted.*'"

The amendment was put and declared lost.

A poll was demanded and the House divided thus :—

Ayes.

1. Mr. P. C. Venkatapathi Raju.
2. ,, K. Koti Reddi.
3. ,, Sami Venkatachalam Chetti.
4. ,, S. Satyamurti.
5. ,, J. A. Saldanha.
6. ,, G. Harisarvottama Rao.
7. ,, C. S. Govindaraja Mudaliyar.
8. ,, K. Abdul Hameed Khan.
9. ,, L. K. Tulasiram.
10. ,, K. V. R. Swami.
11. ,, D. Narayana Raju.
12. Dr. B. S. Mallayya.
13. Mr. K. R. Karant.
14. Mr. P. Anjaneyulu.
15. ,, C. Obi Reddi.
16. ,, C. Ramasomayajulu.
17. ,, T. Adinarayana Chettiyar.
18. Sriman Biswanath Das Mahasayo.
19. Mr. A. Kaleswara Rao.
20. ,, K. Uppi Sahib.
21. ,, C. N. Muthuranga Mudaliyar.
22. ,, K. V. Krishnaswami Nayakar.
23. ,, C. Venkatrangam Nayudu.
24. ,, K. S. Sivasubrahmanya Ayyar.
25. Diwan Bahadur R. N. Arogyaswami Mudaliyar.

Noes.

1. The hon. Khan Bahadur Sir Muhammad Usman Sahib Bahadur.
2. ,, Sir Thomas Moir.
3. ,, Diwan Bahadur M. Krishnan Nayar.
4. ,, Mr. A. Y. G. Campbell.
5. ,, Mr. M. R. Seturatnam Ayyar.
6. ,, Mr. S. Muthiah Mudaliyar.
7. ,, Dr. P. Subbarayan.
8. Mr. Alladi Krishnaswami Ayyar.
9. ,, Hilton Brown.
10. ,, H. A. Watson.
11. ,, A. G. Leach.
12. ,, J. Gray.
13. Mr. S. V. Ramamurti.
14. ,, C. B. Cotterell.
15. ,, V. Ch. John.
16. ,, M. A. Manikkavelu Nayakar.
17. ,, Syed Tajudin Sahib.
18. ,, Abdul Wahab Sahib.
19. ,, H. B. Ari Gowder.
20. ,, J. Bhimayya.
21. ,, P. J. Gnanavaram Pillai.
22. ,, Mahmud Schamnad Sahib.
23. ,, J. Kuppuswami.
24. Subadar-Major S. A. Nanjappah Bahadur.
25. Mr. T. M. Narayanaswami Pillai.
26. ,, M. Gangadhara Siva.

Noes—cont.

27. Mr. V. I. Muniswami Pillai.
28. ,, W. P. A. Soundarapandian.
29. ,, S. Subrahmanya Moopanar.
30. ,, S. Venkiah.
31. Rao Sahib R. Srinivasan.
32. Mr. C. E. Wood.
33. ,, A. J. Leech.
34. ,, F. E. James.
35. ,, R. J. C. Robertson.
36. ,, H. F. P. Hearson.
37. ,, S. N. Dorai Raja.
38. ,, S. Arpudaswami Udayar.
39. ,, G. Premayya.
40. ,, C. Gopala Menon.
41. ,, B. Ramachandra Reddi.
42. Rao Bahadur C. S. Ratnasabapathi Mudaliyar.
43. ,, Sir A. P. Patro.
44. Diwan Bahadur P. C. Ethirajulu Nayudu.
45. Mr. P. T. Rajan.
46. ,, T. K. Chidambaranatha Mudaliyar.
47. Rao Sahib S. Ellappa Chettiyar.
48. Khan Bahadur S. K. Abdul Razack Sahib Bahadur.
49. Mr. Khadir Mohidin Sahib.
50. ,, T. M. Moidoo Sahib.
51. Rao Bahadur B. Muniswami Nayudu.
52. Mr. K. Sarabha Reddi.
53. ,, V. Ramji Rao.
54. ,, A. V. Bhanoji Rao.

Neutral.

1. The Zamindar of Seithur.
2. Mr. K. R. Venkatarama Ayyar.

Ayes 25. *Noes* 54. *Neutral* 2.

The amendment was lost.

Clause 6 was then put, passed and added to the Bill.

Clause 7.

3-15 p.m. Mr. S. SATYAMURTI :—" Sir, I move—

'*that clause 7 be omitted.*'

" I have been considerably encouraged in moving this amendment after the speech of my hon. Friend on behalf of the European group. I know they are a small number but their influence is so much that if they support a motion from this side the Government would be unable to have a strong case against the acceptance of this amendment. Sir, apart from the arguments that I have already advanced, I have no desire to speak. But may I point out, Mr. President, one practical difficulty ? Clause 7 of this Bill says :

' It shall be lawful for the Commission and it is hereby empowered to employ such persons as it may deem necessary and incur expenditure for such employment as well as for contingencies, supplies and services and for other expenses connected with its work, up to an aggregate sum of Rs. 1,000 per mensem.'

" I should like to know, Sir, on what basis this figure was arrived at. I do not know whether this is a mere arbitrary figure because it is a round sum just Rs. 500 less than the Rs. 1,500 provided for in the previous clause. Supposing the Commission finds that they have to spend Rs. 1,001 they will have to come to this House to amend this statute ; is it seriously suggested as a business proposition that with regard to the expenses of a Commission whose activities we have no clear conception of, we should ask this House to provide that they shall not spend more than Rs. 1,000 unless they get this House to amend this statute by means of an amending Bill ? It seems to me that so far as this clause is concerned, it must be obvious to every hon. Member of this House that they may not treat this clause as affecting the independence of the Commission. One of my hon. Friends suggested that the omission of this clause may affect the independence of the Commission. Without agreeing with him on that matter, I would suggest that an amendment of this character would not affect its independence in any matter. The powers of this Council extend to the establishments of the High Court and even His Excellency's establishment. I would say one word, Sir, to the hon. the Floor Leader of the Justice Party to consider this point. They have

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been fighting for communal justice. Now, Sir, this Commission once it is appointed, should administer communal justice according as they please, and whether they are administering it well will depend upon the popularity of the Commission, not on its personnel. Supposing it is the Malayali that is at the head, there will be a cry for Malayalization; if it is an Andhra, for Andhraization; if it is a Tamilian, for Tamilization, if it is a Muslim, for Muslimization, and so on. In such a case, do you or do you not think it necessary that at least once a year this Commission and its work should come before this House at the time of the Budget, so that this House may generally express its views on this question of communal justice, so that this administration should not depend on the individual whims and caprices of the Members of the Commission or on the Members of the Treasury Bench for the time being in office. So, Sir, I submit that this particular amendment is very necessary. I would not have pressed it if the Commission were wholly independent of the Local Government. My hon. Friend knows that this Commission's life is at the mercy of the Local Government. This Commission is appointed by the Local Government. Much as the Commissioners may feel or the Government may think that the work is well managed, human nature being what it is, they are likely to have their own whims or are likely to be influenced by the possible views of the temporary occupants of the Treasury Benches. Is it not therefore open to this House to have some check over the activities of this Commission by means of this annual review at Budget time? I venture to add, Mr. President, no other means of controlling the activities of the Commission will be effective. Merely placing the administration report on the table of the House or a similar provision will not be of any use. It is only at Budget time that it can be effectively controlled. It is only then that the Treasury Benches would be anxious to see that they do not go to the Governor for certification, and would therefore try to accept our suggestions. I speak from experience in this matter. I therefore move this amendment for the acceptance of the House."

* Mr. G. Harisarvottama Rao:—" Mr. President, Sir, in seconding this amendment I desire to draw the attention of hon. Members of this House through you to the fact that it is after all with reference to the establishment and the contingencies, supplies and services. We have a precedent in this House in regard to establishments where absolute impartiality is expected. I am referring to the provision for the Judicial services that is a part of the votable budget. In like manner, there will be nothing particularly wrong in keeping some amount of control for this House over the least important part of this Commission's expenditure. To that extent, Sir, there should be no objection from any bureaucrat whatever. We have had the establishments of the Secretariats on the Budget. The Judical services, and the establishments of the Judicial services are on the Budget. They are all votable by this House and on that analogy there can be no objection to this item being made votable by us. Therefore the deletion of this clause does no harm to this Bill whatsoever. Now, Sir, to speak of the absolute separation of this Public Services Commission from the purview of this Council does not stand well with the advocates of the Government. The Government has not been able to place before us such a Bill as would absolutely rid the Executive Government of responsibility for the conduct of the Commission. It is not even the Local Government that appoints this body. It is the Governor in Council who is a part of the Local Government that appoints this Commission. Therefore the Transferred part of the Government is excluded even from the

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appointment of this Commission. So that, under this Act, it cannot be contended that the Executive Government has absolutely nothing to do with this Commission. Therefore it is necessary that this House should have some control, some voice in the management of affairs by this particular body. Moreover, with regard to the contingencies, the supplies and services and such small items like these, such miscellaneous items like these, which cannot be worked out in any accurate measure, it is not right that any expense be allowed to be incurred without the sanction of this House. I feel therefore, Sir, that this amendment should be supported without any dissentient voice."

* Sriman Biswanath Das Mahasayo :—" Mr. President, Sir, clause 7 proposes to keep the legislature from any interference on its part in the appointment of the staff, that is, the clerical staff. Sir, it is unfair on the part of the Executive Government and also of the hon. Members who sat on the Select Committee to have excluded by means of this clause even the appointment of the officers and the provision of money for contingencies. His Excellency the Governor is above all parties and yet this hon. House year after year discusses all questions and grants relating to the household of the Governor, so far as his servants and contingencies are concerned. What then is the reason why this most fortunate Commission should have a statutory provision excluding all interference on the part of the legislature even to vote the grants necessary for its contingencies and office establishment? Again, Sir, the High Court is above all party politics, but still this hon. House discusses all the pay of the officers as also the contingencies necessary for it. Is it seriously contended on the part of the Government or any other party in the House that we have ever abused the powers that have been conferred on us by the Government of India Act on such questions? Sir, this House, after all, forms governments and drives out governments from office. That being so, is there any reality in the name of autonomy or self-control or self-government, if we exclude by means of the Statute these small matters because you have a got-up majority in the House or because the Government could hope to have a majority in this House. Sir, if such things are persisted in, it is practically a denial of any Government, not to say self-government, on the part of the Government to the hon. Members of this House and to the electorate.

" Then, Sir, even from the point of view of economy, could any hon. Member on the floor of this House say that the Public Services Commission wants Rs. 1,000 only, but not a pie more or a pie less? Suppose it wants a pie more; has it not to come to the legislature for it? Why then, this limitation? Soon after the constitution of the Commission, it may not at once require Rs. 1,000. Why then should they have Rs. 1,000? It is very unfortunate that the Executive should try to exclude the legislature in all its activities and take statutory powers. Sir, I deplore the mentality both of the Executive and of those who support the Executive in this matter. My hon. Friend, Mr. Muniswami Nayudu, in whom I have full confidence, nods assent. I would ask him to give his vote, not only his but that of the other members of his party for the amendment."

3-30 p.m. * The hon. Mr. A. Y. G. Campbell :—" Mr. President, Sir, I am afraid I must oppose this motion, as it cuts at the root of the principle which the Government have embodied in this Bill. The object is to create a Commission which shall be independent of the Government of the day, and with that object we have created this independent body, and it is proposed that they

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should have certain grants to provide for their own pay, the pay of the Secretary, for the pay of their establishment, for their office and other expenses. If this clause is deleted, it will mean that they would be dependent on the Government of the day for their office staff and for other expenses, and that would not make this body as independent of the Ministry as it is proposed to make it by this provision. Some hon. Members appear to think that the Legislative Council ought to have opportunities of discusssing the doings of this commission in the course of the budget debate. But, my experience is that during the budget debate the discussion of any particular item has to be very much curtailed. If it is desired to have a discussion of the functions of the commission, it could be done by a resolution or by a motion for the adjournment of the House. It is always possible at any time for this House to express the general feeling in the country, when the commission is not doing its duty properly, and it is open to the members of this House to move a resolution recommending that the Chairman or a particular member of the commission should be removed from it. (Mr. C. S. Govindaraja Mudaliyar : 'A doubtful remedy'.) It will be on rare occasions that action would have to be taken against the commission, and it should be regarded as a very serious matter. For this reason, Sir, it is very essential that the commission should be made as independent as possible of the Ministry for the time being."

Mr. K. R. VENKATARAMA AYYAR :—" Mr. President, Sir, I have listened to the justification for the retention of this clause on behalf of the Government from the speech of the hon. the Revenue Member. The only point he seems to make is that in order to leave this commission really independent, which everybody desires it to be, it is necessary not only to keep the salaries of the members of the commission and the salary of the Secretary non-votable but also to keep the salary of the establishment under the commission non-votable. I think that is really a plea for leaving this commission entirely outside the range of reasonable criticism. It is one thing to say that this commission has really to be independent, independent of the executive government of the day; it is quite another thing to claim for this commission entire immunity from the responsibility it has to the people of the province as represented by the electorate and the elected representatives sent to this Council by such an electorate. That is asking for autocracy on the part of a commission, and on what ground do you claim such autocracy? It is a commission which is entirely the creature of the executive government of the day. In ultimate analysis, what does it come to? It comes to this; though the executive government of the day, which will consist of Ministers from the elected representatives of this House, must be subject to the criticism of this House in respect of its other doings, so far as the Public Service Commission is concerned, the commission must be an uncontrolled creature subordinate entirely to the whim of the executive Government of the day. I think it is much too large a proposition, that it has only to be stated to be refuted. I do not think the plea made by the hon. Revenue Member is really a good one. On the other hand, it is encouraging the opposite principle. When we were discussing clause 6, even the European group represented by Mr. Hearson, took sides and was really in favour of a more reasonable section of this House in respect of this point. Now, after the European group has thrown the weight of their votes in our favour, to see the Government Member still sticking to his own view

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is, I think, really to challenge this House into a fight as between the bureaucracy, pure and simple, on one side and everybody interested on the popular side on the other. Now the challenge is there, and I leave it to the House to solve it."

* Mr. H. F. P. HEARSON :—" Mr. President, Sir, I regret to say that my Colleagues and I are not convinced by the arguments of the hon. the Revenue Member that the retention of this clause is of fundamental importance to the Bill. We are still of opinion that it is highly desirable that this Council should have an annual automatic opportunity of discussion and criticism of the working of this Commission, in the same way as the Council has of discussion and criticism of the working of the High Court, and we are therefore of opinion that this clause should be omitted in order that the salaries of staff, other than the Secretary, should be votable, and should therefore automatically come up for the consideration of this Council.

" I therefore have pleasure to support the amendment."

* Rao Bahadur B. MUNISWAMI NAYUDU :—" Sir, I am really surprised at the solicitude shown by my hon. Friend Mr. Satyamurti with regard to the claims of communal justice. He thinks, that when the vote for this establishment comes year after year before this Council, such claims can be considered. The fact that that argument is put forward by my hon. Friend makes me suspect that there is something more behind the amendment than what it is said to be. Sir, in section 12 of the Bill, it is stated that the Public Services Commission should pay regard to the rules made by the Government from time to time in regard to the classification, recruitment and other matters. That is a provision to which my hon. Friend took strong objection in his opening remarks when he moved the adjournment of the consideration of the Bill itself. Now, if it is to continue there and if the policy of the Government is to make proper rules from time to time, that is a sufficient safeguard, and that will be a provision which will satisfy all claims. But, as my hon. Friend wants that this provision should be repealed and should not form part of the statute, then the only way that provision becomes open to a debate in this House is when the provision for establishment is brought to the vote of the House from time to time. Does he really and sincerely think that it will conduce to the efficiency of the services if the question on what principles the services should be recruited should be discussed on the floor of this House and should be left to be changed according to the vote of the majority party at the time? The effect will be that the discussion every year would rather go against real justice being secured for various communities. On the other hand, it will tend to these principles being varied from year to year and being dependent on the wish of the particular Council, probably, my hon. Friend is counting upon a possibility of the Swarajists or his party coming out in a majority in the next elections. I submit, Sir, that a provision of this sort is necessary. Again, when the maximum of a thousand rupees, which is now provided under this clause is found insufficient in future, it will be time then for this Council to take a review of the working of the commission.

" Again, Sir, I understood the hon. the Revenue Member intends to move an amendment that a report of the work of this commission should be submitted once a year. At any rate, that is what I thought to be his intention when I talked to him. If an amendment of that sort is introduced, it

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will give ample opportunity for this Council to discuss the work of the Commission from time to time. With regard to the present Staff Selection Board there is no such provision, and yet this Council is able to discuss questions connected with the Staff Selection Board. So, that kind of debate can always be raised in this Council with regard to the Public Services Commission. I think, in these circumstances, this provision is necessary."

* Mr. P. ANJANEYULU :—" Mr. President, Sir, I am surprised at the way in which my hon. Friend, Mr. Muniswami Nayudu, has argued his point. The astute lawyer that he is, he wants to give a plausible colouring to his arguments to reach the wrong conclusions he draws. He says it is the Government that should have the upper hand in framing rules and not the Council. That seems to be the gist of his argument, and he supports his statement by saying that if it is the Council that controls these things, it may be the Swarajists that will be in greater numbers, and therefore its persuasion will colour the proceedings and rules. Sometimes if the 'Justice' men are in the majority, it will be the same, and therefore there will not be fixity of rules. But what about the Government? The Government, according to him, and we also hope, will be a more democratic Government. If the Government is by party system, when the Swarajists are in a majority, it will be a Swarajist Government; when the 'Justice' party are in larger numbers, the Government will be a 'Justice' Government. Does not his argument apply to the Government also? Then, why should there be any difference, why should there be any wrangle over this question? The difference is this. If according to him it is the Government that is making the rules, the publicity of the rules which is available when they are submitted to the scrutiny and decision of this House, will not be available. Whether the Government consists of Swarajists or any other party, if they should be left a free hand in framing the rules, I think those sanctions, that fear of public opinion, that freedom of discussion which will be available and which the traditions of this House, and which the House as it may be composed hereafter, will keep on the same high level, will not be available, if this power is left only to the Government to make these rules. That is the difference which I want to point out to my hon. Friend from Chittoor and to other hon. Members of the House. Having this difference in view and seeing that the Government in future will be also a party Government, I fail to understand what we lose by getting the sanction of this House and having the opinion of the public behind it in framing the rules if we are honest in our purposes and if the Public Service Commission is really to be public, serviceable and a Commission."

* Mr. A. KALESWARA RAO :—" Mr. President, Sir, I am surprised to hear the argument of my hon. and learned Friend, Mr. Muniswami Nayudu, who is an advocate of communal justice, saying that the power in the hands of the Government would be better used for communal claims than in the hands of the Legislative Council itself. He says that the day might come when the Swarajists would be in power. (Mr. P. Anjaneyulu: May it be.) May it be so (Laughter). Let us assume that the Swarajists are against communal justice. Then, would it not be better for him that the question should be considered in this House which will consist of all parties, though the Swarajists may be the dominant party and may be occupying the Treasury Benches, would it not be better that questions like these should come before the Council, which will necessarily consist of Swarajist and non-Swarajist groups, and be

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settled and decided by the Council than by the Government itself which will consist of only one party, namely, the majority party? Therefore, his argument is flimsy on its face.

"This Bill provides for a double autocracy, the autocracy of the Government over the Commissioners and the autocracy of the Commissioners in having their own secretariat establishment and spending money in their own way. I do not know why the Government is indulging in this kind of machinery of double autocracy? This Bill has no parallel, because the Public Service Commission in England does not enjoy immunity from the vote of the Parliament, nor is money provided for it to be spent as it pleased, nor has the Public Service Commission appointed by the Government of India similar powers. Therefore, this Bill has no parallel, and it is only the unique intelligence of this Government that provides for such double autocracy. So, I consider that this amendment is quite necessary."

3-45 p.m. * Mr. S. N. DORAI RAJA :—" Mr. President, Sir, the object with which the Government is instituting this Commission is to make it independent, as my hon. Friend the Revenue Member stated, of influences of politicians. If its establishment are to be subject to the vote of this House, it would be defeating the very object, and would place its activities under the influence of this Council. The analogy drawn by my hon. Friend Mr. Hearson between the High Court and the Public Service Commission is fallacious. In the first place the High Court is not a Public Service Commission dispensing communal justice. By the very nature and constitution of the High Court no criticism by the Council has any the slightest influence on the dispensation of justice; it is there to dispense unadulterated justice to all classes. Therefore to say, because the doings of the High Court are subject to the criticism of this House, so the Public Services Commission should be under the influence of this Council, is fallacious. Therefore this clause should be retained."

* Mr. D. NARAYANA RAJU :—" Mr. President, there are certain very good reasons why the Council should have a voice over the establishment of this Commission. There are certain sections in this House that can never be represented in the Ministry of the day. For instance, there are the depressed classes, the Muslims and others, and these communities can never be in a majority nor can they expect to form their own Ministry or Executive Council. The Government of the day would represent the view of the majority party. Therefore, all those groups can be represented only in this House and not in the Government of the day. And if their views are to be reflected with regard to the doings of the Commission that can only be done by a discussion on the floor of this House.

"The Services Commission is not entirely independent as pointed out by the Mover and several other speakers; it is entirely dependent on the Government of the day; it can be removed by them at any time; it has to go according to the rules framed by the Government of the day. It will be entirely in the hands of the Government. When that is the case, there ought not to be any objection to giving this House an opportunity of discussing the conduct of the Commission once a year. If that right is taken away there will be no other regular opportunity. Therefore, it is highly necessary to afford to all those groups who cannot be represented in the Government of the

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day an opportunity of expressing their views with regard to the conduct of this Commission by making its establishment votable, and so this clause should be deleted."

* Mr. C. S. Govindaraja Mudaliyar :—" Sir, it is difficult to understand the tenacity with which Government wants to cling to this clause. It is a well established maxim that the actions of bodies should be tested year after year by discussions in this House. The hon. the Revenue Member has put forth two pleas ; one is that the conduct of the Commissioners should be reviewed on a resolution moved and adopted by this House. He conveniently forgets the fact that a resolution has first to be tabled and it has to run the chance of a ballot. And we know how many resolutions that are tabled each session are reached. In some cases, only four or five are reached and the rest never see the light of day for all time. Then with regard to adjournment motions, we have had experience which I need not in any way describe. Adjournment motions depend on so many circumstances, there must be urgency, it must be a matter of importance and so many other factors ; lastly, there is every chance of its being vetoed by His Excellency the Governor. Therefore it is a fallacious argument on the part of the hon. the Revenue Member to say, 'your power of dealing with or discussing things done by the Services Commission is there which can be exercised through resolutions and adjournment motions'. We must be thankful to the hon. Member Mr. Hearson for pointing out a direct and immediate example in the case of the High Court. The personnel of the High Court is undoubtedly beyond the criticism of this Council, because they hold their positions under letters patent from His Majesty. Yet their doings are subject to criticism only when their establishment is being voted by this Council. It has been our experience in this Council that a number of cut motions have been tabled on various occasions in regard to the High Court, and while that august body is subjected to the criticism of this House, which is after all the holder of the purse of this province, I wonder why the Services Commission which is going to be instituted should be made sacrosanct, and there is no reason why their doings should not be subjected to criticism in this House by making their establishment votable.

" My. hon. Friend Mr. Muniswami Nayudu wanted to side track the issue by bringing in the communal question. I am afraid it is like drawing a red herring across the issue before the House. That has nothing to do with this question. Whichever community may be in power, the doings of the Commission are entirely independent, which can bear examination irrespective of the communal aspect. Therefore there is not much force in the long drawn out arguments of my Friend from Chittoor.

" In these circumstances, the Government have not made out a case for exempting the doings of this Commission from annual inspection by this House. It is up to this Council to adopt the amendment and reject this clause 7."

* Mr. K. V. R. Swami :—" Mr. President, I cannot understand the objection raised my hon. Friend Mr. Muniswami Nayudu. Does he mean to say that this Commission should not know how its actions are being viewed by a responsible body like this Council ? Should they go on without any assistance from this Council whatsoever ? Supposing in making the selection they go against the interest of the people or act in a way which is not commendable to this House, would it be too much for this House to make a

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statement to that effect? My Friend thinks that at every budget a motion would be brought against the expenditure that may be required for the Commission and under that head we may be discussing the whole thing. We may discuss but we cannot change the rules in a budget motion. We can only express our views regarding their action. For instance, if the High Court has not been disposing of suits or appeals speedily, we are from time to time permitted to say that the work must be more speedily done and all that. We cannot go and say that the High Court should change certain rules, and the change must be in this or that way. It is a very useful thing that this House should have the right of expressing its opinion with regard to the actions of the Commission. As stated by my hon. Friend Mr. Narayana Raju it is not possible for every party in this House to be in the Ministry. More parties likely to be outside the Ministry or outside any influence whatsoever.

"We have been saying from time to time whenever an occasion comes, that there is no Muslim representation in the High Court, that the depressed class people are not given a chance, and so on and so forth. Even so, with reference to this Commission, the authorities must take note of our criticism if it is proper and regulate their action according to the general wishes of the people. In this there are certain rules laid down. Suppose those rules are not observed; for instance, one of the rules says that we should have five Hindus, two Brahmans and so on; suppose that members of a particular community are always selected by the Commission and others are neglected. They may be satisfying the rule, but it may not be liked by the people. This House has a right at that time to say that the Commission should look to the interests of other people. For instance, the depressed people would include converts to Christianity and they may not get proper representation. There is then chance of pointing out the defect which can be rectified by the Commission. The hon. the Revenue Member should not try to deprive the House of all its powers and say, 'I have pointed out other methods by which you can attack the Commission'. It is not the case of the hon. the Revenue Member that this House cannot attack the Commission at all. But he points out two ways of attacking the Commissson, one by a resolution and another by amendment or something like that, and says that we can always question the conduct of the Commission. That will be taking a step which will not be useful. Budget time is the time when you look into things and if you have got any grievance under any head you can only table a motion and express your views. My hon. Friend Mr. Muniswami Nayudu thinks that Mr. Satyamurti is against clause 10, and so he must support this motion. I am not quite satisfied with his argument; there is no motion at all to omit clause 10. Clause 10 is a necessary thing; nobody objects to it. No amendment is given to omit clause 10. It is there, so he need not be frightened.

4 p.m. "We are losing a very vital weapon which is always available to this House. This concerns all parties and not this party or that party only. Further our criticisms would be of good use to the Commission itself. From the criticisms of this House concerning the actions of the Commission they can see whether their actions are appreciated or not appreciated and whether they are doing their work properly or not. They are a responsible body and as such ought to tolerate criticism which is intended to call attention to any irregularities there may be."

Mr. A. Ranganatha Mudaliyar:—"Mr. President, Sir, I would with your permission appeal to the hon. the Revenue Member to take a detached view of the whole matter. The House will remember, Sir, that I was anxious

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that this question of the appointment of and the administration by the Public Services Commission must be above the influence of the Ministry. To me, Sir, it is not so much as to what the Ministers may or may not be able to do and how far they would be able to influence the Public Service Commission in the matter of appointments, but as to how far it would help the helpless minorities in this House. Sir, if the Ministry is worth anything at all, it would surely find ways and means of influencing the Commission and get its purpose achieved. It is not with reference to that that I want the hon. the Revenue Member to consider this. I have in view the minorities whose interest might not be adequately represented or protected by this Commission. For example, one rule says: If there is no competent member of the depressed class community to take up an appointment, they could pass over to the next community in order, and give the appointment. The depressed class men on the other hand may assert that among them there are competent men to hold the appointment and that their claims have been unjustly passed over. Where, I ask, is the opportunity for them to place their views? It is idle to say that the budget will always be taken advantage of for unnecessary discussion on these matters. How often, Sir, have we criticized the action of the High Court and threatened to cut down all their establishments? That threat was made only once and that was in the first year of the reformed Council. Therefore this fear is unfounded. Further, more often than not, we never reach such demands. That has been our experience. Therefore, I think in the interests of the minority communities who otherwise have no chance of protecting themselves, this clause must be deleted.

"In this connexion I would like just to say how some of us who wanted that this matter might be regulated by an executive measure instead of by a legislative enactment were subjected to cheap criticism. Our reason for making that proposal was that if our suggestion had been accepted and the Commission had been appointed by an executive order, the Council would have an opportunity of criticizing its actions and thus create in them a wholesome fear of not doing things very wrongly. In that view I think this amendment should be supported."

* The hon. Sir Thomas Moir :—"Mr. President, I think it is a pity that this question has centred round the trivial question of the appointment of the subordinate staff of this Commission If it were a question of such vast importance to Members of the House to have control over the actions of the Commission, I should have expected them to claim control over the appointment of Secretary. But the House has already accepted the position that the Secretary should be appointed by the Commission and that his salary should be non-voted. Such being the case, it ought to be a matter of indifference to the House whether the Commission has or has not power to appoint a few clerks and servants and pay them without further sanction of any other authority. But we are of course not discussing the question as to whether the Commission should have the power to appoint its servants or buy their own stamps or stationery.

"The question really is whether this House should have an opportunity annually to discuss the operations and doings of the Commission. I feel sure that such a question cannot appropriately be raised and made to centre round the salary of a few low-paid clerks. If the House feels that such an opportunity ought to be given to it or if a section of the House feels at any time that

it has a grievance as regards the actions of the Commission and should have an opportunity to consider the operations of the Commission during the past year, I think it would be much better that, as we do in the case of the Report of the Public Accounts Committee, we provide that the Commission should make a report annually and that that report shall be placed on the table of the House for the consideration of which, irrespective of any resolution on the subject being successful in the ballot or not, a day shall be set apart. I think that that would be a much more reasonable and suitable means of attaining the object which the House has really in mind."

Mr. S. SATYAMURTI :—" Where is that provision ? "

*Mr. P. C. VENKATAPATI RAJU :—" Mr. President, I am surprised to hear the hon. the Finance Member saying that the object of this motion is to have control over some clerks of the office of the Commission at the time of the discussion of the budget. He is quite aware of the fact that by a token cut even with regard to any establishment of any department, it has been the practice, year after year, to review the administrative and other acts of the department concerned. It is for the purpose of reviewing the action and conduct of the Commissioners who are proposed to be appointed under this Bill that this provision is proposed to be deleted. As was pointed out by Mr. Ranganatha Mudaliyar this motion is intended to get a hearing for the minority party. Of course we all know that a majority party can have its way without deleting this provision as it is well known that the majority party are ruling even the reserved and other departments of Government, but it is entirely outside the scope of this Council. Therefore, Sir, the object of tabling this motion is to enable the House to have an opportunity to draw attention to the conduct and work of a body created by it. Sir, even though according to the Delegation Rules passed by the Secretary of State the Legislative Councils may be allowed to have some control over this Commission, this Government have thought it best to make it a pseudo-independent body while certainly in effect and in fact, it will be a department of the Government."

Mr. F. E. JAMES :—" Mr. President, Sir, we have listened to the hon. the Finance Member who has made a valuable suggestion for a compromise on this particular point. But before dealing with that suggestion, I should like to say that I entirely sympathise with the attempt to make the Commission a non-political body. With that object we cannot but sympathise. On the other hand there are two points emerging from the discussion. In the first place I do not entirely share the apprehension that political influences will be brought to bear on this statutory body if a certain amount of money has to be voted for its expenses. Sir, we are legislating for the future and not for the next few years only."

* The hon. the PRESIDENT :—" Order, order. I did not want to intervene at this stage of the discussion ; but a careful examination of the Bill shows that there is no provision in the Bill stating that all this expenditure shall be met from the provincial revenues. Therefore this debate seems to be irrelevant. The debate would be relevant only if there was a provision in the Bill that the expenditure shall be met from the provincial revenues. Of course it may be a drafting oversight, but all the same, any discussion as to whether the expenditure will be included in the budget or not will be irrelevant in the absence of that provision."

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Mr. C. V. VENKATARAMANA AYYANGAR:—"For all the appointments made by the Provincial Government, the expenditure is met from the provincial revenues."

* The hon. the PRESIDENT :—"But they have not made any provision to that effect."

* Mr. F. E. JAMES :—"If there is no statutory provision for this expenditure to be met from provincial funds, this particular clause is useless. (Mr. S. Satyamurti : 'Hear, hear.') In any case, whether from provincial or central finances provision will have to be made, and we think that, on the whole, the budget time is the best opportunity for reviewing the action of the Commission.

"Coming to the suggestion of the hon. the Finance Member which I understand to be that there should be an annual report of the Commission and that there should be a statutory obligation on Government's part to place that report before the legislature for criticism, we think, that it would be better for this House to have an opportunity for discussing and reviewing the actions of the Commission during budget debate."

Mr. ALLADI KRISHNASWAMI AYYAR :—"Mr. President . . ."

* The hon. the PRESIDENT :—"Is it a point of order ?"

Mr. ALLADI KRISHNASWAMI AYYAR :—"No."

* The hon. the PRESIDENT :—"Mr. James will continue his speech."

* Mr. F. E. JAMES :—"I was saying that it would be advantageous to the House if there could be given an opportunity by means of a token cut to criticise the work of the Commission in detail. This could not be done on a general discussion on the annual report of that body. In budget discussions, by means of a token cut, criticism can be directed to specific matters.

"Therefore on the whole, while considering what the hon. the Finance Member is prepared to concede, namely, that the Legislature should have power to criticise—and it is a great concession—we would ask him to explain as to why he opposes the amendment to omit clause 7 ? So far we have not heard anything on this point and though we are still open to conviction, we have heard nothing so far which would induce us to change our minds." 4-15 p.m.

Mr. ALLADI KRISHNASWAMI AYYAR :—"With regard to the point raised by the hon. the President that the terms of the Bill do not provide for salaries and expenditure of this Commission being paid from provincial revenues, no doubt a permanent section might be introduced but there can be no doubt . . ."

The hon. the PRESIDENT :—"The hon. the Advocate-General has not understood me properly. As far as I know, I do not see the relevancy of this debate and unless there is provision in the Bill that this expenditure will be met from provincial revenues all references whether it is votable or non-votable and so on appear to me to be irrelevant at this stage."

Mr. ALLADI KRISHNASWAMI AYYAR :—"Sir, I am pointing out that Members of the Government are entitled to proceed on the footing that it is

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payable out of the provincial revenues. The way in which I put it to the hon. the President is this: Clause 5 reads 'There shall be paid to the Chairman a salary of three thousand rupees per mensem and to each of the other members a salary of two thousand rupees'. The clause is framed in the passive voice, viz., 'There shall be paid, etc. etc.' I ask who shall pay it? If for example the Local Government is the appointing authority and they are the removing authority and if there is a provision that 'there shall be paid, etc. etc.', I ask who else can it be except the Local Government?"

* The hon. the PRESIDENT:—"Under clauses 6 and 7 the Secretary and his staff are to be appointed by the Commission and therefore the liability to pay them is on the Commissioners who appoint them. In clause 5 I see there is an obligation on the part of the Government to pay them. But I am unable to see wherefrom these salaries will be met, either from provincial revenues or from where."

Mr. ALLADI KRISHNASWAMI AYYAR:—"The only reason that I put forward is that, because it is stated in the Bill that 'there shall be paid to the chairman a salary of etc. etc.', the Local Government has got power to meet it from provincial revenues. But I certainly think that it would be much more advisable if the Government were to bring forward a formal amendment."

* The hon. the PRESIDENT:—"If Government think that such a provision is necessary they may come forward with such an amendment. My only fear is that the whole of this argument will be repeated once again at that time. Therefore I suggest that, if the Government make up their minds to come forward with an amendment, we may stop the discussion on this point at this stage and when the amendment is introduced it will be the appropriate time for the House to debate on it. My province is to see whether the debate is relevant. As the provisions of clauses 6 and 7 stand, it appears to me that the whole of this debate is irrelevant. If the Advocate-General takes the responsibility of advising the Government that such an amendment is not necessary and such a provision will not be introduced, the House may proceed with the discussion."

The hon. Mr. A. Y. G. CAMPBELL:—"I propose to move an amendment later."

* The hon. the PRESIDENT:—"What does the Government propose to do? Do they want to proceed with the discussion of clause 7 and dispose it of as it is?"

The hon. Mr. A. Y. G. CAMPBELL:—"Yes, Sir."

Mr. S. SATYAMURTI:—"It is doubtful as to whether the Government itself is prepared to bring forward such an amendment or not, If they bring forward such an amendment, we do not know in what form they are going to bring it forward and whether you are going to waive notice. Therefore I suggest it would be unfair to this House if the Government want to discuss this matter at this stage especially when they have not made up their minds. So in view of these things and also in view of the statements that have fallen from your lips it is better that this business is postponed."

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* The hon. the PRESIDENT :—" On account of the difficulties of the Opposition if they and the Government agree for the postponement of this item I have no objection. But if the Government insist upon continuing the discussion, I will have to exclude all references to budget provisions. There ends my province."

Mr. C. V. VENKATARAMANA AYYANGAR :—" I beg to move that the consideration of clause 7 be taken up at the end of this Bill."

Mr. SAMI. VENKATACHALAM CHETTI :—" Having regard to the fact that any reference to budget provision whether it is votable or non-votable becomes irrelevant from your point of view, as the wording now stands, does it or does it not fetter discussion and thereby place the House in a false position in deciding the merits of this clause ? Therefore I support the motion for postponement."

* The hon. the PRESIDENT :—" At this stage my only remark is that all references to the budget are irrelevant."

Mr. S. SATYAMURTI :—" May I ask for some light on that matter ? Does this clause mean that the Commission would pay out of its own pocket ? I humbly want to know what is the scope of your ruling. I think I am fortified by the opinion of the hon. the Advocate-General who is one of the foremost lawyers in Madras."

Mr. ALLADI KRISHNASWAMI AYYAR :—" With great respect, I submit, Sir, that when a doubt arises in a particular matter it is one thing to argue it in a court of law. But even according to the Bill as it stands, the necessary expenses must come from out of the provincial revenues. That is the intention of the Government but at the same time when a difficulty is pointed out it would be the duty of the Government to fill up the deficiency. I do not subscribe to the proposition that under the Bill as it stands the expenses cannot be paid out of provincial revenues. As regards the question whether this Commission is a statutory body and whether its salary should be paid from out of the provincial revenues, if I were arguing for the first time or if my opinion had been asked for in the first instance, I would certainly have come to the conclusion that it can be paid from out of the provincial revenues. But when a right point is put from the Chair and when it necessarily suggests to the Government to make up their mind as to whether they are going to bring forward an amendment or not, I would unhesitatingly advise the Government to put in some amendment to the effect that it shall be paid from out of the provincial revenues."

* The hon. the PRESIDENT :—" Before I proceed, I wish to have a statement from the hon. Member in charge of the Bill whether he wishes to propose an amendment."

The hon. Mr. A. Y. G. CAMPBELL :—" I propose to move an amendment that this expenditure will be met from provincial revenues."

* The hon. the PRESIDENT :—" On account of the statement made by the hon. Member in charge of the Bill any further references to the possible inclusion in the budget of items regarding expenditure under sections 6 and 7 are irrelevant."

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Mr. ALLADI KRISHNASWAMI AYYAR :—" On a point of order, Mr. President . . ."

Mr. ABDUL HAMEED KHAN :—" Sir, you have already ruled that you would not allow discussion on that point. May I ask how the hon. the Advocate-General can make a submission on that ?"

Mr. ALLADI KRISHNASWAMI AYYAR :—" With regard to the point raised by the hon. the President, I wanted to say that by necessary implication the expenditure might be paid from out of the provincial revenues."

* The hon. the PRESIDENT :—" It is unnecessary."

Mr. S. SATYAMURTI :—" I beg to move—

'*that the consideration of this Bill be adjourned.*'

" Do this Government seriously say that when they brought forward this Bill they did not know their own mind ? Did the Advocate-General who is one of the best lawyers in Madras advise them to bring forward the Bill in this form or did he give the same reasons which he has just now given this afternoon ? If the hon. the Advocate-General had given advice, why did they not accept that advice and act up to it ? What guarantee is there that in tomorrow's Cabinet meeting in which the hon. Member for Revenue is one out of seven they would accept his advice and would allow him to bring forward an amendment of this sort ? I put it to the House very seriously, in legislating measures of an important character like this, whether we are not entitled to have their considered views which are not liable to be changed from time to time, either in view of the President's ruling or the chances of voting in this House. After all, any Government must know in regard to a Bill of this kind what its position is and it must stick to its position. Instead of that, the Government's position is this :—here is a Bill ; a Select Committee sat over it and the hon. the Advocate-General was also a Member in that Committee ; they deliberated and they sent a pompous report. You will see that they have taken a view quite different from the views we have put forward or the ruling which you have given, viz., the expenditure incurred under clauses 6 or 7 would be an expenditure which would be non-votable under section 72-D of the Government of India Act. Therefore the Select Committee has proceeded on the assumption that this is a non-votable item, so far as this Government is concerned. I am not quarrelling with the hon. the Advocate-General. Let him not imagine that we are holding him responsible. We are trying to find out who is responsible and who is not. Is it not the Government that is responsible for this ? He is after all an expert adviser of this Government. Did they force a Bill of this kind on the Legislative Council without knowing the ordinary implications of the two clauses 6 and 7 ? Moreover, Sir, hon. Members would have seen on the order paper the several amendments given notice of by the hon. the Revenue Member.

4-30 p.m. " Sir, what does it mean ? It means that at the stage when the Government published this Bill, at the stage they introduced the Bill, at the stage when it was considered by the Select Committee they did not make up their minds ; their minds are not steady up to the last moment. They want to go on tinkering with the Bill. We must teach a lesson to the Government. In a matter of legislation they must take this House seriously. We have long ceased to control them by questions or resolutions or motions of any

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kind. But when the Council is considering legislation of this kind, I think the time is come when we should tell this Government that we are business people, we are spending our time here and that they should take us seriously. The hon. Mover of the Bill said that he would move amendments, that it will take time is abundantly clear. It is the duty of the other side to have consulted their advisers on these points. The Government have brought forward this Bill before settling these points They have got the most expert advice; why should they not take their advice? I think, Sir, that this House is not prepared to tolerate this laxity on their part."

* Mr. C. V. VENKATARAMANA AYYANGAR :—" Sir, I second the motion. I want to adduce one or two reasons. You have ruled, Sir, that until the amendment is brought forward. . ."

The hon. the PRESIDENT :—" The hon. Member in charge of the Bill has said that it is necessary to move some amendments to the Bill. I have already said that it would be irrelevant to refer to the point, at this stage, that the amount of money proposed to be spent on this Commission is not included among the votable items in the budget."

* Mr. C. V. VENKATARAMANA AYYANGAR :—" That is all the more powerful reason why we should stop further discussion on the Bill at this stage. We are precluded by your ruling from dealing with a very important point. We do not know whether the expenditure in connexion with the appointment of the Commission will be votable or not. Since we are precluded from speaking on that point, the result will be that the clause will be passed as it is. Supposing the Government bring forward an amendment to-morrow, we may have to further amend the amendment and if that amendment is carried what is the use of passing this clause now? Further consideration of this clause and some other clauses may be postponed and the hon. the Advocate-General may bring forward necessary amendments. The most important point I wish to urge is that, if this clause is passed, we will have to move amendments that either the Commissioners, or the Legislative Council Members will have to pay out of their pockets the money required for the appointment of this Commission. Certainly we would not like that amendments should be brought forward at the last moment and that we should be precluded from speaking on them. It will be necessary for us to move amendments to those amendments. This is an important point which will have to go to the Cabinet. We do not know when the Cabinet will deal with this matter in these days of dinners and lunches, and when and whether the amendments will be moved. The majority should not terrorise the minority. We are in your hands in this matter. We have to consider the amendments that will be given notice of by the Government. It is in your power to say that necessary notice should be given to the Council of the amendments that are proposed to be brought forward by the Government. We request you to insist upon the prescribed notice being given, because we cannot go on without the usual notice. . ."

* The hon. the PRESIDENT :—" The hon. Member need not anticipate what I may do and go on arguing on that. We shall confine ourselves to the adjournment motion."

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Mr. C. V. VENKATARAMANA AYYANGAR :—" These are the reasons why we should adjourn the consideration of the Bill."

The hon. the PRESIDENT :—" The question is that the consideration of the Bill be adjourned till the next meeting."

* Mr. C. E. WOOD :—" Sir, the hon. Member in charge of the Bill has notified that he will bring forward an amendment. I ask the hon. Member for the University whether he has ever known a Bill introduced into this House which did not undergo amendment in some form or another. We have been given to understand that all sections of the House require this Bill to be passed. I would point out that, though the hon. Members in the Opposition criticise everything that is brought forward by Government and take every opportunity of pointing out to the House that Government Members are of poorer mental capacity than themselves, it was not they who ascertained that the Bill was not in order; but they are now very strong in pointing out the omission. This Bill has been before the House for a considerable time and all Sections of the House have admitted that the country requires it. We feel that there should be no further delay."

Mr. ALLADI KRISHNASWAMI AYYAR :—" Sir, I did not propose to take part in this debate but for the fact that the hon. Member for the University has chosen to drag my name into it. I take the full responsibility of going through this Bill and suggesting such points as occurred to me. I do not profess to that wisdom of which he is a past-master. But at the same time, when a point is raised by the hon. the President, whatever my views may be in regard to the question of drafting, I think any responsible Member of this House would accept the suggestion from the President. Probably if my hon. Friend were in my position, he would not advise the Government as I have done but would stick to his opinion. That is my attitude in a matter like this. If it is a question of drafting and if I were asked about this particular point, there is a good deal to be said in favour of the view that even in the Bill as it stands, the necessary intention is there that the salary is payable out of the provincial revenue . . ."

* The hon. the PRESIDENT :—" The motion before the House is whether the consideration of the Bill be adjourned or not. I suggest to the hon. the Advocate-General not to refer to the provisions of the Bill at this stage. Since the hon. Member in charge of the Bill has already stated that he would bring forward the necessary amendments, any discussion on the point that the Bill already provides for this purpose would be irrelevant."

Mr. ALLADI KRISHNASWAMI AYYAR :—" I bow to your ruling, Sir. It was said that the Government have been lax, that they did not take expert advice and that, on that ground, adjournment is asked for. I am therefore entitled to place before the House the fact that the Government consulted me and if there is any fault, it lies entirely with the adviser who was not able to grasp the particular point raised by the hon. President. I take full responsibility for that and I do not think it is right to fix that responsibility on the Government which is on my shoulders. This particular point did not occur to me. The Government consulted such advisers as they had. Since the Government have referred this point to their advisers, they have done all that can be done. If the adviser goes wrong, the Government cannot be blamed

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for that. The only ground which is put forward for the adjournment is that the Government have not taken the necessary expert advice. Such expert advice as is available to them has been availed of by them and rightly or wrongly this point did not occur to their expert adviser. Therefore it is not right that this dilatory motion should be put forward on the ground of want of diligence on the part of the Government."

*The hon. Mr. A. Y. G. CAMPBELL :—"I do not think, Sir, it is necessary to adjourn the discussion of this Bill on account of the question which has now arisen. The intention of the Government is clear from the wording of sections 6 and 7. All that is proposed to be done is to bring forward a subsequent amendment to the Bill with your permission to bring out clearly in the Bill the actual intention of the Government which is perfectly understood by the whole House."

*Mr. SAMI VENKATACHALAM CHETTI :—"Mr. President, Sir, I do not propose to reply to the most irrelevant speech, that was ever made on the floor of the House, of the hon. the Advocate-General in spite of repeated warnings from you. (Cries of 'order, order'.) I am perfectly in order in making these remarks. You were good enough to suggest that any reference to the votable or non-votable nature of the expenditure provided for in this Bill becomes irrelevant in view of the fact that the hon. the Revenue Member has promised to bring in an amendment to make this provision more secure. We are therefore proceeding on the promise made by the hon. the Revenue Member. It is just possible that the points which struck the hon. the Advocate-General now may not strike him over-night when he may be in a position to advise the Government that no further amendment is necessary; in which case the hon. the Revenue Member will be justified in not keeping up his promise made on the floor of the House. In that case we will be debarred from offering any criticism on this provision if it is passed now. If the motion of my hon. Friend, Mr. Satyamurti, that the consideration of the Bill be postponed till the next meeting would be found inconvenient, I think it will be a reasonable request for any hon. Member to make that the discussion of this particular clause be suspended till the anticipated amendment is on the floor of the House so that we may not be deprived of the possibility of criticising this provision. I request you to consider the possibility of relying upon the promise of the Government, in respect of this matter. The view of the Government may undergo a change if the expert adviser, the hon. the Advocate-General, says that no amendment is necessary, in which case the whole House will be deprived of the opportunity of discussing the question whether it is votable or non-votable expenditure. . . "

*The hon. the PRESIDENT :—"This is a question of procedure to be followed. The hon. Member in charge of the Bill has already stated that he would bring forward the necessary amendment. He may bring forward a new clause to be added at the end of the Bill. He cannot bring any amendment to clauses 6 and 7 at this stage because this is the stage of second reading but he may do so at the third stage. We are proceeding on the undertaking given by the hon. Mover of the Bill and there is no reason for supposing that he will not do so. The Government have given an undertaking.

"The question is that the consideration of the Bill be adjourned." 4-45 p.m.

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The motion was put to the House declared lost. A poll was demanded and the House divided thus :

Ayes.

1. Mr. P. C. Venkatapathi Raju.
2. ,, K. Koti Reddi.
3. ,, Sami Venkatachalam Chetti.
4. ,, S. Satyamurti.
5. ,, C. V. Venkataramana Ayyangar.
6. ,, J. A. Saldanha.
7. ,, G. Harisarvottama Rao.
8. ,, C. S. Govindaraja Mudaliyar.
9. ,, Abdul Hameed Khan.
10. ,, L. K. Tulasiram.
11. ,, K. V. R. Swami.
12. ,, D. Narayana Raju.
13. ,, K. R. Karant.
14. ,, P. Anjaneyulu.
15. ,, C. Obi Reddi.
16. Mr. C. Ramasomayajulu.
17. ,, T. Adinarayana Chettiyar.
18. Sriman Biswanath Das Mahasayo.
19. Mr. A. Kaleswara Rao.
20. ,, M. Narayana Rao.
21. ,, C. N. Muthuranga Mudaliyar.
22. ,, K. Krishnaswami Nayakar.
23. ,, C. Venkatarangam Nayudu.
24. ,, K. S. Sivasubrahmanya Ayyar.
25. ,, A. Ranganatha Mudaliyar.
26. Diwan Bahadur R. N. Arogyaswami Mudaliyar.
27. Mr. R. Nagan Gowda.
28. ,, C. R. Parthasarathi Ayyangar.
29. ,, K. R. Venkatarama Ayyar.

Noes.

1. The hon. Khan Bahadur Sir Muhammad Usman Sahib Bahadur.
2. ,, Sir Thomas Moir.
3. ,, Diwan Bahadur M. Krishnan Nayar.
4. ,, Mr. A. Y. G. Campbell.
5. ,, Mr. M. R. Seturatnam Ayyar.
6. ,, Mr. S. Muthiah Mudaliyar.
7. ,, Dr. P. Subbarayan.
8. Mr. Alladi Krishnaswami Ayyar.
9. ,, H. A. Watson.
10. ,, A. G. Leach.
11. ,, J. Gray.
12. ,, S. V. Ramamurti.
13. ,, C. B. Cotterell.
14. ,, V. Ch. John.
15. ,, M. A. Manikkavelu Nayakar.
16. Syed Tajudin Sahib Bahadur.
17. Mr. Abdul Wahab Sahib.
18. ,, H. B. Ari Gowder.
19. ,, A. B. Shetty.
20. ,, J. Bheemayya.
21. ,, R. Foulkes.
22. ,, P. J. Gnanavaram Pillai.
23. ,, Mahmud Schamnad Sahib.
24. ,, J. Kuppuswami.
25. Subadar-Major S. A. Nanjappah Bahadur.
26. Mr. T. M. Narayanaswami Pillai.
27. ,, N. Siva Raj.
28. ,, M. V. Gangadhara Siva.
29. ,, V. I. Muniswami Pillai.
30. ,, W. P. A. Soundarapandian.
31. Mr. S. Subrahmanya Moopanar.
32. ,, S. Venkiah.
33. Rao Sahib R. Srinivasan.
34. Mr Hilton Brown.
35. ,, V. Ramjee Rao.
36. ,, G. R. Premayya.
37. ,, H. F. P. Hearson.
38. ,, S. N. Dorai Raja.
39. ,, S. Arpudaswami Udayar.
40. The Raja of Kallikota.
41. Mr. C. E. Wood.
42. ,, A. J. Leech.
43. ,, F. E. James.
44. ,, R. J. C. Robertson.
45. Rao Bahadur C. S. Ratnasabhapati Mudaliyar.
46. Mr. B. Ramachandra Reddi.
47. Rao Bahadur Sir A. P. Patro.
48. Diwan Bahadur P. C. Ethirajulu Nayudu.
49. Mr. P. T. Rajan.
50. ,, T. K. Chidambaranatha Mudaliyar.
51. Rao Bahadur S. Ellappa Chettiyar.
52. Khan Bahadur Syed Abdul Razack Sahib Bahadur.
53. Mr. Khadir Muhi-ud-din Sahib.
54. ,, T. M. Moidoo Sahib.
55. Rao Bahadur B. Muniswami Nayudu.
56. Diwan Bahadur A. M. M. Murugappa Chettiyar.
57. Mr. K. Sarabha Reddi.
58. ,, A. V. Bhanoji Rao.

Ayes 29. *Noes* 58.

The motion was lost.

* The hon. the PRESIDENT :—"I now put clause 7 to the vote of the House."

Mr. C. V. VENKATARAMANA AYYANGAR :—"I thought, Sir, I said that I wanted to speak on the amendment . . ."

Mr. G. HARISARVOTTAMA RAO :—"rM. President, I have sent a motion."

* The hon. the PRESIDENT :—"There should not be another dilatory motion immediately after one."

* Mr. C. V. VENKATARAMANA AYYANGAR :—"I want to speak on this motion, Sir, irrespective of the funds being votable or non-votable. Sir, I am

12th August 1929] [Mr. C. V. Venkataramana Ayyangar]

one of those who have given notice of the amendment to omit clause 7. There is some consideration which I want to place before the House, and I request you will kindly permit me to do so.

" Now, Sir, we have been told that we should not discuss whether this is votable or non-votable on the assumption that there is no provision that they should be paid out of the Local Government funds. Sir, as the clause stands now, it means that the Commissioners will have to pay the money out of their pockets, and so I say this clause should be omitted. It is a very sad thing, Sir, and I do not think such a contingency was contemplated by anybody. Therefore, the best course is now to omit the clause as it is. If later on, at the third reading stage the Government brings any other amendment and if the hon. the President gives permission for any amendment to be made, and if the House carries that amendment, then it will be time enough for the Government to bring this clause again. Sir, there is also another aspect which I want to refer to, irrespective of whether the money is paid by the Commissioners or by this Council or anybody else. We have been always charging the Government that they are always very very favourable to higher officers and that they are very stingy in the case of the officers of the lower grades. In this case, Sir, they want one Secretary to be paid Rs. 1,500 a month and every attempt on our part even to suggest that there should be less pay for him or that the matter should be considered by the Council once a year or so has been totally opposed successfully. Now, what is the meaning of this clause 7 ? The establishment charges, i.e., salaries of clerks, peons, etc., will all come out of Rs. 1,000 a month. The travelling allowance and other things including contingencies, etc., will have to be included in this Rs. 1,000. I suppose the travelling allowance itself in the case of officers drawing Rs. 2,000 and Rs. 3,000 will come to nearly Rs 1,000 a month, and I do not know what the poor clerks and peons will have to do for their salary. I am sure the Secretary will be asked to employ clerks for Rs. 1-8-0 and peons of three pies a month, as there will be no money for expenditure on contingencies. Now, neither the Government nor the Council will have any power to increase this amount of Rs. 1,000. Even the Commissioners will not have the power to pay any higher amount, nor could they even pay large amounts from their pockets. Then again, Sir, if at any time the clerks of the other departments are able to get the sympathy of this House and we are prepared to be more sympathetic and liberal towards their demands and if we want to do something and increase the clerks' salary by revising the present rate of Rs. 35—$1\frac{1}{2}$—50 –1—60, even then these clerks of the Commission's office will not be able to get any advantage therefrom, because if any amount is given to the Commission in a lump, the Commissioners will be only too glad to utilize it for their travelling allowances and contingencies, etc. This seems to be most absurd, Sir, and any reasonable House, if we still maintain that we have got some reason, should on the basis of this fact alone, vote against this clause. In spite of what all our friends on the other side may say that we are trying to introduce communalism into the question and all that, let this House show to the world that we are not consistently foolish, that we are not persisting in committing wrong things always and that from our point of view—and I think the other Members will also agree with me—we must come to the conclusion that this clause is meaningless. If the clause is really taken away, there can be no injury to anybody, and everything will be quite alright. Therefore, Sir, I strongly support the removal of this clause from the Bill."

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Mr. W. P. A. Soundarapandiyan :—" Sir, I move that the question be now put."

The hon. the President :—" The question is that the question be put."

The motion was put to the House and declared lost. A poll was demanded and it was taken with the following result :—

Ayes.

1. The hon. Khan Bahadur Sir Muhammad Usman Sahib Bahadur.
2. ,, Sir Thomas Moir.
3. ,, Diwan Bahadur M. Krishnan Nayar.
4. ,, Mr. A. Y. G. Campbell.
5. ,, Mr. M. R. Seturatnam Ayyar.
6. ,, Mr. S. Muthiah Mudaliyar.
7. ,, Dr. P. Subbarayan.
8. Mr. Alladi Krishnaswami Ayyar.
9. ,, Hilton Brown.
10. ,, H. A Watson.
11. ,, A. G. Leach.
12. ,, J. Gray.
13. ,, S. V. Ramamurti.
14. ,, C. B. Cotterell.
15. ,, V. Ch. John.
16. ,, M. A. Manickavelu Nayakar.
17. ,, Syed Tajudin Sahib.
18. ,, H. B. Ari Gowder.
19. ,, A. B. Shetty.
20. ,, J. Bheemayya.
21. ,, R. Foulkes.
22. ,, P. J. Gnanavaram Pillai.
23. ,, Mahmud Schamnad Sahib.
24. ,, J. Kuppuswami.
25. Subadar-Major S. A. Nanjappah Bahadur
26. Mr. T. M. Narayanaswami Pillai.
27. ,, N. Siva Raj.
28. Mr. V. I. Muniswami Pillai.
29. ,, W. P. A. Soundarapandian.
30. ,, S. Subrahmanya Moopanar.
31. ,, S. Venkiah.
32. Rao Sahib R. Srinivasan.
33. Mr. G. R. Premayya.
34. ,, H. F. P. Hearson.
35. ,, S. N. Dorai Raja.
36. ,, S. Arpudaswami Udayar.
37. The Raja of Kallikota.
38. Mr. C. E Wood.
39. ,, A. J. Leech.
40. ,, F. E. James.
41. ,, R. J. C. Robertson.
42. Rao Bahadur Sir A. P. Patro.
43. Diwan Bahadur P. C. Ethirajulu Nayudu.
44. Mr. P. T. Rajan.
45. ,, T. K. Chidambaranatha Mudaliyar.
46. Rao Bahadur S. Ellappa Chettiyar.
47. Khan Bahadur Abdul Razack Sahib Bahadur.
48. Mr. Khadir Muhi-ud-din Sahib.
49. Khan Sahib T. M. Moidoo Sahib Bahadur.
50. Rao Bahadur B. Muniswami Nayudu.
51. Diwan Bahadur A. M. M. Murugappa Chettiyar.
52. Mr. K. Sarabha Reddi.
53. ,, A. V. Bhanoji Rao.

Noes.

1. Mr. M. V. Gangadhara Siva.
2. ,, P. C. Venkatapathi Raju.
3. ,, K. Koti Reddi.
4. ,, Sami Venkatachalam Chetti.
5. ,, S. Satyamurti.
6. ,, C. V. Venkataramana Ayyangar.
7. ,, J. A. Saldanha.
8. ,, G Harisarvottama Rao.
9. ,, C. S. Govindaraja Mudaliyar.
10. ,, Abdul Hameed Khan.
11. ,, L. K. Tulasiram.
12. ,, K. V. R. Swami.
13. ,, K. R. Karant
14. ,, D. Narayana Raju.
15. Mr. P. Anjaneyulu.
16. ,, C. Obi Reddi.
17. ,, C. Ramasomayajulu.
18. ,, T. Adinarayana Chetti.
19. Sriman Biswanath Das Mahasayo.
20. Mr. A. Kaleswara Rao.
21. ,, M. Narayana Rao.
22. ,, C. N. Muthuranga Mudaliyar.
23. ,, K. Krishnaswami Nayakar.
24. ,, K. S. Sivasubrahmanya Ayyar.
25. ,, C. R. Parthasarathi Ayyangar.
26. ,, K. R. Venkatarama Ayyar.
27. ,, C. Venkatarangam Nayudu

Ayes 53. *Noes* 27.

The motion was carried.

* The hon. the President :—" I now put clause 7 to the vote of the House."

Mr. J. A. Saldanha :—" I have got an amendment, Sir."

* The hon. the President :—" The closure has been carried. The motion that is under consideration now is that clause 7 shall form part of the Bill. When a closure motion is carried, I will have to put the clause to the House. Any motion on the clause after the closure motion is carried is out of order."

Mr. P. C. Venkatapathi Raju :—" But the amendment is there, Sir."

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* The hon. the PRESIDENT :—" The amendment was already disposed of and I was about to put clause 7. Then Mr. C. V. Venkataramana Ayyangar wanted to speak on the merits of clause 7."

Mr. C. V. VENKATARAMANA AYYANGAR :—" No, on the merits of the amendment to clause 7, subject to your ruling."

* The hon. the PRESIDENT :—" I am sorry. Yes, I shall now put the amendment to the vote of the House."

* The hon. the PRESIDENT :—" The question is that clause 7 be omitted." 5 p m.

The motion was put to the House and declared lost. A poll was demanded and the House divided thus :

Ayes.

1. Mr. C. E Wood.
2. ,, A. J Leech.
3. ,, F. E. James.
4. ,, R. J. C. Robertson.
5. ,, H. F. P. Hearson.
6. ,, G. R. Premayya.
7. ,, P. C. Venkatapathi Raju.
8. ,, K. Koti Reddi.
9. ,, Sami Venkatachalam Chetti.
10. ,, S. Satyamurti.
11. ,, C. V. Venkataramana Ayyangar.
12. ,, J. A. Saldanha.
13. ,, G. Harisarvottama Rao.
14. ,, C S. Govindaraja Mudaliyar.
15. ,, Abdul Hameed Khan.
16. ,, L. K. Tulasiram.
17. ,, K. V. R. Swami.
18. Mr. D. Narayana Raju.
19. ,, K. R. Karant.
20. ,, P. Anjaneyulu.
21. ,, C. Obi Reddi.
22. ,, C. Ramasomayajulu.
23. ,, T. Adinarayana Chettiyar.
24. Sriman Biswanath Das Mahasayo.
25. Mr. A. Kaleswara Rao.
26. ,, M. Narayana Rao.
27. ,, C. N. Muthuranga Mudaliyar.
28. ,, K. V. Krishnaswami Nayakar.
29. ,, C. Venkatarangam Nayudu.
30. ,, K. S. Sivasubrahmanya Ayyar.
31. Diwan Bahadur R. N. Arogyaswami Mudaliyar.
32. Mr. C. R. Parthasarathi Ayyangar.
33. ,, K. R. Venkatarama Ayyar.

Noes.

1. The hon. Khan Bahadur Sir Muhammad Usman Sahib Bahadur.
2. ,, Sir Thomas Moir.
3. ,, Diwan Bahadur M. Krishnan Nayar.
4. ,, Mr. A. Y. G. Campbell.
5. ,, ,, M. R. Seturatnam Ayyar.
6. ,, ,, S. Muthiah Mudaliyar.
7. ,, Dr. P. Subbarayan.
8. Mr. Alladi Krishnaswami Ayyar.
9. ,, Hilton Brown.
10. ,, H. A. Watson.
11. ,, A. G. Leach.
12. ,, J. Gray.
13. ,, S. V. Ramamurti.
14. ,, C. B. Cotterell.
15. ,, V. Ch. John.
16. ,, M. A. Manickavelu Nayakar.
17. ,, Syed Tajuddin Sahib.
18. ,, H. B. Ari Gowder.
19. ,, A. B. Shetty.
20. ,, J. Bheemayya.
21. ,, R. Foulkes.
22. ,, P. J. Gnanavaram Pillai.
23. ,, Mahmud Schamnad Sahib.
24. ,, J. Kuppuswami.
25. Subadar Major S. A. Nanjappah Bahadur.
26. Mr. T. M. Narayanaswami Pillai.
27. ,, N. Siva Raj.
28. ,, V. I. Muniswami Pillai.
29. ,, W. P. A. Soundarapandian Nadar.
30. ,, S. Subramanya Moopanar.
31. ,, S. Venkiah.
32. Rao Sahib R. Srinivasan.
33. Mr. S. N. Dorai Raja.
34. ,, S. Arpudaswami Udayar.
35. Rao Bahadur C. S. Ratnasabapathi Mudaliyar.
36. Rao Bahadur Sir A. P. Patro.
37. Diwan Bahadur P. C. Ethirajulu Nayudu.
38. Mr. P. T. Rajan.
39. ,, T. K. Chidambaranatha Mudaliyar.
40. Rao Sahib S. Ellappa Chettiyar.
41. Khan Bahadur S. K. Abdul Razack Sahib Bahadur.
42. Khader Mohideen Sahib Bahadur.
43. Khan Sahib T. M. Moidoo Sahib Bahadur.
44. Rao Bahadur B. Muniswami Nayudu.
45. Diwan Bahadur A. M. M. Murugappa Chettiyar.
46. Mr. K. Sarabha Reddi.
47. ,, A. V. Bhanoji Rao.

Ayes 33. *Noes* 47.

The motion was lost.

The House then adjourned to meet again at 11 a.m. on Tuesday the 13th August 1929.

R. V. KRISHNA AYYAR,
Secretary to the Legislative Council.

APPENDIX I.

[Vide answer to question No. 353 asked by Sriman Biswanath Das Mahasayo at the meeting of the Legislative Council held on the 12th August 1929, page 606 supra.]

Statement showing the Cadres of Service in which improvement in pay or prospects has been effected since 1st April 1929.

Serial number.	Department.	Cadre of Service.	Nature of improvement. Pay before revision.	Nature of improvement. Pay after revision.	Ultimate financial effect per annum.
(1)	(2)	(3)	(4)	(5)	(6)
					RS.
1	Agricultural Department.	Plant collectors	18 Plant collectors on Rs. 30—1—40; 40 on Rs. 25—1—30.	49 Fieldmen on Rs. 35—1½—50 and 9 Laboratory attendants on Rs. 25—1—35.	7,675
			Revision of pay as under.		
2	Education Department.	College Assistants ..	Rs. 125—5—175—7½—250	Rs. 125—5—175—7½—250 with a selection grade on Rs. 250—10—300 for 5 per cent of the cadre.	67,892
		School Assistants	Rs. 75—5—100 (48 per cent of the cadre), Rs. 100—10—150 (40 per cent of the cadre), Rs. 150—10—250 (12 per cent of the cadre) with special pay of Rs. 10 for women.	A combined cadre on Rs. 75—5—100—10—150 for 75 per cent of the cadre and Rs. 150—10—250 for 25 per cent of the cadre. The special pay for School Assistants, Women's Branch, and Sub-Assistant Inspectresses was abolished.	
		Deputy Inspectors of Schools (senior grade) and Sub-Assistant Inspectresses of Schools.	Rs. 75—5—100—10—150 (75 per cent of the cadre), Rs. 150—10—250 (25 per cent of the cadre) with special pay of Rs. 35 for Sub-Assistant Inspectresses of Schools.		

Statement showing the Cadres of Service in which improvement in pay or prospects has been effected since 1st April 1929—*cont.*

Serial number. (1)	Department. (2)	Cadre of Service. (3)	Nature of improvement. Pay before revision. (4)	Nature of improvement. Pay after revision. (5)	Ultimate financial effect per annum. (6)
					RS.
3	Medical Department.	Totis employed in Mental Hospitals.	Increase of maximum pay as shown below :—		1,344
				RS. RS.	
			Male totis .. .. Madras	15 17	
			Mufassal	12 14	
			Female totis .. .. Madras	12 14	
			Mufassal	10 12	
		Staff in the School of Indian Medicine and the Hospital attached to it.	Permanent retention of the existing temporary staff, addition of 2 Midwifery Nurses on Rs. 35 per mensem each and 2 women ward attendants on Rs. 15 per mensem each and the revision of pay of certain of the existing staff as shown below :—		8,535
			5 Lecturers on Rs. 120—10—140.	5 Lecturers on Rs. 120—10—250.	
			7 Assistant Lecturers on Rs. 65—7½—80	7 Assistant Lecturers on Rs. 65—5—150.	
			2 Resident Medical Officers on Rs. 150—25—200.	2 Resident Medical Officers on Rs. 120—10—250.	
			1 Assistant Resident Medical Officer on Rs. 65—7½—80.	1 Assistant Resident Medical Officer on Rs. 65—5—150.	
		Clerical staff of offices of the District Medical Officers and Headquarters Hospitals.	Amalgamation of the clerical staff employed in the Headquarters Hospitals in all districts except Vizagapatam and Ramnad and the post of clerk attached to the Coimbatore Medical School with the clerical staff of the District Medical Officers' offices in the respective districts and the revision of pay of 16 clerks.		5,010
			1 on Rs. 50—3—80 and 15 on Rs. 35—35—1½—50—1—60	to 16 clerks on Rs. 60—4—80.	

Statement showing the Cadres of Service in which improvement in pay or prospects has been effected since 1st April 1929—*cont.*

Serial number. (1)	Department. (2)	Cadre of Service. (3)	Nature of improvement. Pay before revision. (4)	Nature of improvement. Pay after revision. (5)	Ultimate financial effect per annum. (6)
					RS.
4	Police Department ..	Sergeants	Madras City— 1 Sergeant-Major, Rs. 145 .. .. 9 Sergeants, 1st grade, Rs. 135 .. 17 do. 2nd grade, Rs. 122½ .. 22 do. 3rd grade, Rs. 110 .. Ex-military duty pay at Rs. 25 each for 49 Sergeants. Special pay for 2 Crown Sergeants at Rs. 15 each. Special pay for 10 Traffic Sergeants at Rs. 10 each. Special pay for Sergeant in charge of a motor lorry at Rs. 10. Special pay of officer in charge of Mounted branch, Rs. 10.	Madras City— 3 Sergeant-Majors, Rs. 220.. .. 9 Sergeants, 1st class, Rs. 200 .. 20 do. 2nd class, Rs. 175 .. 19 do. 3rd class, Rs. 150 .. Special pay for 10 Traffic Sergeants at Rs. 10 each. Special pay for 1 Sergeant of the Armed Reserve, Rs. 10. NOTE.—3 Sergeant-Majors were sanctioned in place of one Sergeant-Major on Rs. 145 and 2 Crown Sergeants with allowance of Rs. 15 each.	21,710
			Mufassal— 20 Sergeants, 1st grade, Rs. 125 .. 35 do. 2nd grade, Rs. 112½ .. 48 do. 3rd grade, Rs. 100 ..	Mufassal— 24 Sergeants, 1st grade, Rs. 200 .. 40 do. 2nd grade, Rs. 175 .. 89 do. 3rd grade, Rs. 150 ..	48,810
				Total ..	1,60,976

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APPENDIX II.

[Vide answer to question No. 354 asked by Mr. J. A. Saldanha at the meeting of the Legislative Council held on the 12th August 1929, page 607 supra.]

KERALA SOAP INSTITUTE, CALICUT.

Training of apprentices.

Full or main course—Qualifications for admission.—Candidates should be holders of completed Secondary School-Leaving Certificates, but in special cases applications from persons with lower educational qualifications will be considered. Candidates who have already worked in a soap factory, or have some existing connexion with the manufacture of soap will be given preference.

Fees.—The fees will be Rs. 100 per annum for students coming from the Madras Presidency; in the case of others Rs. 150 will be charged. (No student who after remaining for more than a fortnight in the Institute leave it of his own accord or is expelled from it on disciplinary grounds will be entitled to refund of any portion of the fees paid by him.)

Course.—The course, which will ordinarily extend over a period of one year, will be divided into two terms, the first of which will commence about the middle of June or as soon as possible thereafter and the second on the 2nd of January ending at the end of March.

Short course—Qualifications.—Owners of soap factories and others possessing some practical knowledge of soap making.

Duration.—Three months.

Fees.—The fees will be Rs. 75 for those coming from the Madras Presidency; in the case of others, Rs. 125 will be charged.

General—Discipline and conduct.—The Superintendent and Principal of the Institute will maintain a conduct register in which will be recorded the conduct of the apprentices and in which will be noted offences such as disobedience of orders, absence without leave, bad time keeping, etc., and the apprentices will be liable to summary dismissal for habitual or gross misconduct or continued neglect of work.

Holidays.—The usual holidays enjoyed by the Institute will be given.

GOVERNMENT INDUSTRIAL INSTITUTE (INK FACTORY)—MADRAS.

Training of apprentices.

Qualifications.—Holders of a completed Secondary School-Leaving Certificate with Chemistry as optional.

Duration of course.—Eighteen months.

Fees.—Rs. 35 for the entire course.

Employment.—Not guaranteed.

Age.—Between 18 to 21.

Kerala Soap Institute, Calicut.

Serial number and name. (1)	Caste. (2)	Religion. (3)	Qualification. (4)	Place. (5)	How employed. (6)
1927–28—Six students for full year's main course and two for short course.					
Full course.					
1. S. M. Ansari	Muhammadan ..	Islam	V. Form passed	Hyderabad ..	In Hyderabad soap factory.
2. H. Basavanna Goud ..	Goud	Hinduism ..	S.S.L.C. passed ..	Bellary	His own soap factory in Bellary.
3. P. Venkataratnam ..	Nayudu—Non-Brahman	Do. ..	Do. ..	Chingleput ..	His own soap factory in Mambalam near Madras.
4. P. R. Krishna Ayyar ..	Brahman	Do. ..	S.S.L.C. failed	Malabar ..	Undergone advanced course in 1928-29.
5 E. N. Mahadevan	Do.	Do. ..	IV Form	Do. ..	Going as an apprentice in Godraj's factory, Bombay.
6. P. Sankunni Menon ..	Nayar—Non-Brahman.	Do. ..	S.S.L.C. passed ..	Do. ..	In Alleppy soap factory.
Short course.					
1. D. Kesava Ayyar	Brahman	Hinduism ..	B.A. (Chemistry) ..	Malabar	In Messrs. Deen & Co., soap makers, Bangalore.
2. Ishar Singh Grover ..	Christian	Christianity ..	B.Sc.	Lahore	Lecturer in soap technology, Foreman, Christian College, Lahore.
1928–29—Twelve students for full year's or main course and one student for advanced course.					
Full course.					
1. K. Karunakaran	Goldsmith—Non-Brahman.	Hinduism ..	S.S.L.C. failed	Malabar	Not known.
2. K. M. Muthuvenkitaraman.	Chetti—Non-Brahman	Do. ..	Read up to V Form ..	Do.	Has joined his father's soap factory.
3. P. Kunhikoya	Muhammadan ..	Islam	Do. ..	Do.	Owing to ill-health left in the middle of the course.
4. V. Karunakara Menon ..	Nayar—Non-Brahman	Hinduism ..	S.S.L.C. failed	Do.	Undergoing advanced course here in 1929-30.
5. P. S. Ramaswami	Brahman	Do. ..	Do.	Do.	Do.
6. M. Gopalan Nayar ..	Nayar—Non-Brahman	Do. ..	S.S.L.C. passed ..	Do.	Not known.

7. P. Sankara Menon	Do.	Do. ..	Do. failed ..	Do.	Do.
8. C. Gopala Rao	Brahman—Madwa ..	Do. ..	Do. passed ..	Chittoor district.	Advanced course in 1929–30.
9. S. G. Pant	Mahratti—Brahman.	Do. ..	L.T.C. (V.J.T.I.) ..	Satara (Aundh State).	Starting a soap factory in his place.
10. K. Ragothaman	Brahman—Madwa ..	Do. ..	S.S.L.C. failed	Tanjore district.	Undergoing advanced course in 1929–30.
11. Edwin Victor Anil Shaw.	Christian	Christianity ..	Matriculate failed (Calcutta).	Bihar and Orissa.	Do.
12. D. Sambasiva Rao ..	Brahman	Hinduism ..	Intermediate failed ..	Rajahmundry ..	Advanced course in 1929–30.
Advanced course.					
13. P. R. Krishna Ayyar ..	Brahman	Hinduism ..	S.S.L.C. failed	Malabar	Intends starting a soap factory.

1929–30—Seven students for the full year's or Main course and six students for Advanced course.

Full course.					
1. M. Narayanan	Non-Brahman, Thiyya.	Hinduism ..	S.S.L.C. failed ..	Malabar ..	Undergoing course at the Institute.
2. George Kurian	Christian	Christianity ..	Do. ..	Cochin	Do.
3. P. V. Jacob	Do.	Do. ..	Intermediate failed ..	Travancore ..	Do.
4. B. S. D. Pani	Brahman	Hinduism ..	S.S.L.C. (Mysore) ..	Coimbatore ..	Do.
5. P. S. Anjaneyulu.. ..	Do.	Do. ..	S.S.L.C. failed	Nellore	Do.
6. D K. Somayazulu ..	Do.	Do. ..	Do. passed ..	Godavari ..	Do.
7. P. Dharma Rao	Do.	Do. ..	Matriculate failed (Calcutta).	Ganjam ..	Do.
Advanced course.					
8. V. Karunakara Menon ..	Nayar, Non-Brahman.	Hinduism	S.S.L.C. failed ..	Malabar ..	Undergoing course at the Institute.
9. P. S. Ramaswami ..	Brahman	Do. ..	Do.	Do. ..	Do.
10. C. Gopal Rao	Do. Madwa ..	Do. ..	S.S.L.C. passed ..	Chittoor ..	Will join shortly.
11. K. Rahothaman	Do. do. ..	Do. ..	Do. failed ..	Bellary ..	Undergoing training at the Institute.
12. Edwin Victor Anil Shaw.	Christian	Christianity ..	Matriculate failed (Calcutta).	Bihar and Orissa.	Do.
13. D. Sambasiva Rao ..	Brahman	Hinduism ..	Intermediate failed ..	Rajahmundry ..	Will join shortly.

Government Industrial Institute (Ink Factory), Madras.

1. Kittunni Menon	Non-Brahman ..	Hindu	S.S.L.C.	....	Not entered service owing to ill-health.

This apprentice was under training from September 1927 to February 1929.

APPENDIX III.

[Vide answer to question No. 361 asked by Mr. C. Gopala Menon at the meeting of the Legislative Council held on the 12th August 1929, page 612 supra.]

Copy of the letter from the Honorary Joint Secretary, the Prohibition League, Malabar (Servants of India Society's Home, Calicut), dated 28th April 1929.

It has come to the notice of the League that most of the toddy and arrack shops are kept in a dirty condition and that ordinary rules of cleanliness and sanitation are not observed. Of course, the shop-keepers violate rules governing the hours of sale, etc. The League would suggest that the Members of the Excise Licensing Boards and the Advisory Committee should be permitted to inspect the shops and note down their remarks. Copies of the same remarks should be submitted by the licensee to the Collector of the district and the Assistant Commissioner of Excise with his explanation. These officers may be empowered if they are not already authorized, to award punishment or prosecute the licensee for violating the conditions of licence. I have no doubt the Government will be pleased to accept this suggestion. If the suggestion is accepted the Government will also be enlisting the sympathy of the public in observing that the rules framed by them are properly and systematically complied with.

Memorandum No. 1124-*D*/29-2, *Revenue, dated the* 14*th June* 1929.

Excise—Shops—Sanitation—Inspection by Members of Excise Licensing Boards and Advisory Committees.

Under condition 3 of the general conditions applicable to all abkari and opium licences, the licensees are required to keep their shop premises in a sanitary condition to the satisfaction of the Inspecting Officers. Shops are regularly inspected by Sub-Inspectors, Assistant Inspectors and Inspectors and occasionally by the Assistant Commissioners and Revenue Officers, who take this opportunity to enforce the condition regarding cleanliness. Further, under the Local Boards and District Municipalities Acts, the Chairman and his subordinate officers are empowered to inspect any premises including liquor shops, with a view to enforcing proper sanitation. The Government do not think that it is necessary to provide for any further inspection such as is suggested by the Malabar Prohibition League. It will be an advantage however if any member of the Licensing Board or Advisory Committee will bring to the notice of the Revenue or Excise officers instances in which the sanitation of a shop is found to be defective or the prescribed hours of sale are disregarded. The Government have no doubt that suitable action will be taken on any such representations.

H. R. PATE,
Secretary to Government.

To M.R.Ry. R. Suryanarayana Rao Avargal, B. A., Honorary Joint Secretary, Prohibition League, Malabar, Calicut.

Copy to the Commissioner of Excise.

APPENDIX IV.

[Vide answer to question No. 366 asked by Mr. J. A. Saldanha at the meeting of the Legislative Council held on the 12th August 1929, page 616 supra.]

Contract supplier.	Distillery.	Area supplied.	Kind of liquor.	Prices charged by distillers. 35° under proof.	38° under proof.	60° under proof.
				RS. A. P.	RS. A. P.	RS. A. P.
1. Aska Sugar Works and Distillery.	Aska ..	Ganjam district including 122 Agency villages.	Molasses arrack.	1 5 0	..	0 12 1
2. Vizagapatam—Commercial Corporation.	Vizagapatam.	Vizagapatam district, Palkonda Agency and 137 Agency villages.	Jaggery arrack.	1 10 6	..	1 0 4
3. Bellary Distillery.	Bellary ..	Bellary district and Sandur State.	Do.	1 10 6	..	1 0 4
4. M. Rangamma.	Tadpatri ..	Anantapur district (excluding Kadiri taluk), Kurnool district and Banganapalle State.	Do.	1 9 0	..	0 15 0
5. Messrs. Fraser & Ross.	Renigunta Distillery at Madras Warehouse and Tachanallur (Nadar's).	Madras town, Saidapet taluk and Tinnevelly district.	Do.	..	1 9 3 1 2 10	1 0 4 0 12 2
6. Messrs. A. T. Tiruvengada Mudaliyar & Sons.	Coimbatore.	Coimbatore district, the Nilgiris district and the Attapadi valley and a part of Mettur division.	Do.	1 4 6	..	0 12 7
7. Mr. Veerappa Chettiyar.	Tachanallur (New).	Madura and Ramnad districts.	Molasses or jaggery arrack.	..	1 2 2	0 11 9
8. Messrs. Parry & Co.	Samalkot.	East Godavari, West Godavari, Kistna, Guntur, Nellore, Cuddapah, Kadiri taluk of Anantapur district and Chittoor (Madapapalle and Vayalpad).	Molasses arrack.	1 1 6	..	0 10 0

Contract supplier.	Distillery.	Area supplied.	Kind of liquor.	Prices charged by distillers.		
				35 ° under proof.	38 ° under proof.	60 ° under proof.
				RS. A. P.	RS. A. P.	RS. A. P.
9. Messrs. Parry & Co.	Nellikuppam.	Chittoor (portion), Chingleput (excluding Saidapet taluk) North Arcot, South Arcot, Tanjore, Trichinopoly, Salem (excluding part of Mettur division), South Kanara and Malabar.	Molasses arrack.	1 0 6	0 15 9	0 10 2
10. Do. ..	Chowghat ..	Throughout the Presidency.	Cocoanut toddy arrack.		Not known.	

Appendix V.

[Vide answer to question No. 367 asked by Mr. S. Satyamurti at the meeting of the Legislative Council held on the 12th August 1929, page 618 supra.]

Contribution to the Government of India towards the expenditure connected with the appointment of a Commissioner of medical qualifications and standards for India.

Grant.	Head of account.	Item of expenditure.	Amount of supplementary grant required in 1928-29.
XX. Medical —Transferred.	32-C. Medical—Medical Colleges and Schools—i. Medical Colleges—Charges payable to Government Departments and others.	...	Rupees 700 (for five months from October 1928).

Explanatory note.

A large number of Indian Medical graduates proceed every year to England for purposes of higher medical study; and it is essential to possess a qualification recognized by the General Medical Council of Great Britain. The recognition of Indian Medical degrees by the General Medical Council depends upon the maintenance of a sufficiently high standard of education in the several medical colleges in India. To ensure that this standard is maintained, the General Medical Council since 1922 has been deputing a representative to inspect these colleges. On the basis of reports submitted by this Inspector, the Council has been continuing or withdrawing its

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recognition of the Medical degrees conferred by the Indian Universities. The recognition of the M.B.B.S. Degree of the Madras University has been continued only up to June 1928 while the corresponding degree of the Andhra University has not yet been recognized by the Council.

2. The General Medical Council has recently decided that the periodic visitation and inspection of medical colleges through its direct agency is no longer practicable and that other steps should be contrived to maintain in India the standards of education and examination that are necessary to guarantee their sufficiency for registration and practice in the United Kingdom. Sir Norman Walker who recently visited India in this connexion at the invitation of the Secretary of State has suggested the creation of some co-ordinating authority in India which might enable the General Medical Council to obtain the information it requires in regard to Indian Medical degrees and pending the establishment of such central authority, which might be comparable to the General Medical Council, he has suggested that a "Commissioner of Medical Qualifications and Standards" should be appointed to continue and expand the work which has hitherto been performed by the Official Inspector of the General Medical Council. He believes that the General Medical Council will adopt such an official as their Inspector. The Government of India have agreed in principle with this suggestion and they consider that an officer could be found who would be willing to act in the capacity suggested by Sir Norman Walker in addition to his official duties in return for an honorarium of, say, Rs. 400 per mensem. The officer appointed will be one who possesses wide experience of teaching in one of the Medical Colleges in India and also of the conduct of examinations for medical degrees and who is likely to command the respect both of the General Medical Council and of the authorities of Indian Medical Colleges and Universities.

	RS.
1. Honorarium to the Commissioner at Rs. 400 per mensem ..	4,800
2. Pay of one stenographer at Rs. 250 per mensem	3,000
3. Pay of two peons at Rs. 25 each per mensem	600
4. Contingencies at Rs. 50 per mensem	600
5. Travelling allowance ..	3,000
	12,000 (per annum)

3. The cost of an arrangement on the above lines is estimated at Rs. 12,000 per annum as detailed in the margin. As the proposed arrangement is in the interests of the Provincial Transferred subject of Medical Education, the Government of India consider that the cost should be borne in equal proportions by the seven Local Governments concerned as was done in the case of expenditure incurred in connexion with the visit of Sir Norman Walker in 1926. The Madras Government's share of the expenditure will be about Rs. 1,700 a year and Rs. 700 in 1928–29.

4. In view of the fact that great hardship will be caused to Indian students if their degrees are not recognized by the General Medical Council it is considered that the arrangement proposed by the Government of India should be agreed to. As, however, the expenditure is on a new service for which provision has not been made in this year's budget, it is proposed to move a demand for a supplementary grant. The expenditure will be met from the savings anticipated in the sanctioned appropriation under the grant.

Recommendation of the Finance Committee.—The Committee recommended the moving of a demand for a supplementary grant.

APPENDIX VI.

[Vide item III at page 62] supra.]

REPORT OF THE COMMITTEE APPOINTED BY THE MADRAS LEGISLATIVE COUNCIL TO CO-OPERATE WITH THE INDIAN STATUTORY COMMISSION.

1. INTRODUCTION.

This Committee has been elected by the Madras Legislative Council in accordance with the following resolution passed by the Council on the 4th September 1928:—

"That for the purpose of jointly conferring with the Indian Statutory Commission on the terms stated in the letters of the Chairman of the Commission to His Excellency the Viceroy, dated the 6th February 1928 and the 28th March 1928, and in the further announcement published by the Government of India on the 23rd June 1928, this Council do proceed to elect seven representatives in accordance with the regulations made by the hon. the President under Standing Order No. 77 for the holding of elections by means of the single transferable vote;

"Provided (*a*) that the representatives so selected should be allowed absolutely the same status and powers as regards the examination of witnesses and access to confidential papers and documents, and (*b*) that they should submit their report to the Legislative Council for an expression of its opinion before the same is submitted to the Commission with a copy of the proceedings of the Council in connexion therewith."

The members of the Committee are—
Rao Bahadur Sir A. P. Patro, *Kt.*
Diwan Bahadur S. Kumaraswami Reddiyar.
The Kumararaja of Venkatagiri.
Khan Bahadur P. Khalif-ul-lah Sahib Bahadur.
Mr. Daniel Thomas.
Mr. P. Siva Rao.
Mr. N. Siva Raj.

The Committee elected Sir A. P. Patro as Chairman. The Committee has held 25 meetings to discuss procedure and to study and form conclusions from 195 memoranda sent from this Presidency as well as 24 memoranda received from the Government of India, 4 from the India Office, 10 of All-India interest from associations and individuals and 4 from Provincial Governments in the rest of India. It has also studied the evidence recorded before the Commission and its Committees in the other provinces. It sat with the Statutory Commission and the Indian Central Committee in February 1929 at Madras when twelve associations and fourteen individuals from this Presidency were examined as witnesses. At the end of March, it had the benefit of meeting the other Provincial Committees at Delhi and having an informal discussion with them on matters of common interest. There was also a final conference with the Indian Statutory Commission and the Indian Central Committee from the 2nd to the 4th of April.

It is a matter of regret that certain sections of political opinion in the country have not seen their way to give evidence before the Commission. Their evidence also would have been helpful. The Committee, however, trusts that these sections will avail themselves of further opportunities of placing their views before the Joint Parliamentary Committee which will consider the proposals for Indian constitutional reforms.

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The Committee came to its final conclusions by the 1st of June and submits the following report to the Indian Statutory Commission through the Madras Legislative Council.

GENERAL SURVEY.

2. Need for Political Change.

It appears to the Committee that there has been a fundamental defect in the manner in which the question of future constitutional reforms has been generally approached during the enquiry before the Indian Statutory Commission. The memoranda that have been furnished, whether by Governments or by non-officials, have mainly dealt with the working of dyarchy during the last nine years and based proposals thereon. Dyarchy itself was introduced as the result of conditions found and described in 1918 by Mr. Montagu and Lord Chelmsford in their report on Indian Constitutional Reforms. The motive force for political progress now is derived not primarily from the manner in which dyarchy has worked, but from the conditions which compelled the introduction of dyarchy itself. Dyarchy was a method of advance introduced in 1920 by the decision of the Parliament of Great Britain. In spite of its obvious defects, some political parties in India have accepted it as workable and have worked it. Others have been of opinion that it cannot satisfy the political aspirations of India and have declined to work it. But whatever be the attitude towards dyarchy, what is now needed for the purpose of determining future political advance is a re-investigation of the forces which demanded political progress in 1918. If these forces are to-day as insistent for political progress as they were in 1918, it is a matter of little importance whether dyarchy has been successful or not.

The main issues in the political field to-day are whether there is a need for political advance and, if so, what is the extent to which it is desirable to go. When these issues are answered, the methods for carrying out changes have to be considered. We ignore here the possibility of political retrogression as it is not practical politics.

First let us summarize the reasons for which Montagu and Chelmsford considered political advance on a large scale necessary in 1918 :

(1) *Political dissatisfaction.*

People objected to executive measures of Government as repressive ; they demanded liberal institutions of Government ; they demanded an improved status in the Empire. (Montford Report, pages 7 to 10.)

(2) *Social stagnation.*

The people's zeal for social reform was not satisfied by the Government (Montford Report, page 9). England through excess of caution proper to its regimé may be actually perpetuating and stereotyping customs which the better mind of India may deem necessary to modify. A Government in which Indians themselves participate, invigorated by a closer touch with a more enlightened popular opinion, may be able to effect what under the present system has to be rigorously eschewed. (Montford Report, pages 97–98.)

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(3) *Administrative weakness.*

The Parliament, though competent to do so, does not make a custom of interfering with the administration of India (Montford Report, page 20). The official system in India, while it has its strength, has also its weakness. Montagu and Chelmsford speak of it thus : "Its weaknesses are, we conceive, equally apparent. It is humanly impossible for the district officer to control the whole business of Government and to look after his army of subordinates as closely as is required. His utmost vigilance and energy do not suffice to prevent petty corruption and oppression from disfiguring official business. The people are slow to complain and prefer to suffer rather than to have the trouble of resisting. The mischief is being slowly remedied with the improvement of the subordinate services. It could be remedied further at great expense by decreasing district areas and increasing the supervising staff. But there can be no general improvement except through the awakening of public opinion which we believe that our reforms will stimulate. Strong as it is, the official system is too weak to perfect the enormous task before it without the co-operation of the people." (Montford Report, page 81.)

(4) *Lack of moral and material progress.*

Efficiency of administration may be too dearly bought at the price of moral inanition (Montford Report, page 100). Education is backward and to a large degree lifeless, but popular government in India as elsewhere is sure to promote the progressive spread of effective education and so a widening circle of improvement will be set up (Montford Report, pages 98 and 119).

(5) *Moral forces.*

The Great War has given India a new self-esteem. India has taken up the demand for self-determination emphasized during the war (Montford Report, pages 13–14). British policy in India has been steadily directed to a point at which the question of a self-governing India was bound to arise. The sheltered existence which England has given India cannot be prolonged without damage to her national life. There is a spirit of liberty that is stirring in Asia and India cannot be left behind (Montford Report, page 93).

This is a fair analysis. The Committee would, however, like to present the picture as regards the lack of moral and material progress a little more fully.

Montagu and Chelmsford have summed up the achievement of district administration as that of giving the country people "peace and justice and making their life easier." The Committee gratefully recognize the magnificent work done by England in establishing peace and order in a country torn by internecine strife. We recognize the high standards of character and justice which Englishmen have so well maintained in India. All this is to the lasting credit of England. But where England has failed is in providing for the growth of India. The activities of a few Englishmen are not adequate to permeate the large area and the large population of this country. Their administration is necessarily very centralized. We are quite aware that they have sought to "promote the material prosperity of the country by the construction of great works of irrigation, by the improvement of the means of communication and transport, by the opening up of the markets of

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the world to the produce of India and by the extension of facilities for trade and commerce." But 90 per cent of the people of India live in villages and the villager is very poor. He is ignorant. He lives in insanitary surroundings. The benefits of European knowledge have hardly reached him. A day's work can alone give him his food for the next day. Famine finds him with no resisting power. It is true to say that after the British Empire has lasted in India for 170 years—a period as long as that of the Moghal Empire from Babar to Aurangzeb—British administration has not yet vivified the village. Peace is good, but when for the large mass of the people it is not coupled with economic progress, it is but barren.

We are grateful again to England for the political unity which she has created in India. India has long sought and fairly established a cultural unity. But it is to the credit of England that for the first time in the history of India, India has become a political unit. This has, however, enhanced the international status of Britain, but hardly that of India. In spite of India being a member of the League of Nations, her representatives in the Councils of the League voice the opinions not of the people of India, but of the people of Britain. The status of Indians abroad is hardly as good as that of the nationals of less important Asiatic countries. Again, England has introduced Indians to the glorious ideals of liberty and self-government that are enshrined in English history, but she has not yet fully succeeded in enabling Indians to realize them; and, in the absence of such a realization, the selfless patriotism of villagers and of educated townsmen without which, in the opinion of the Royal Commission on Agriculture, "hope of radically improving the amenities of the village must be abandoned" will not be available.

England has kept an impartial field for all religions and castes and communities in India. But the world is rapidly developing in ideals and ways of life. India's social system developed in a unique manner when she was more or less isolated from the rest of the world. But with the development of communications by sea, her geographical isolation is rapidly ceasing to be. It will no longer do for India to hug her own social system and not bring it into harmony with that of other nations. It is Indians that can have the vision, the courage and the sureness of grip necessary to reshape Indian society.

These causes, which in 1918 necessitated a large political change, have now become intensified in strength. Moreover, the progress made in the last ten years under Indian direction in education, local self-government and in general enterprise amply justifies further political advance. It is unnecessary to refer in detail to new national forces which have arisen in these ten years. If large political progress was necessary in 1918, it is even more so in 1929.

In order that there may be national progress, the people of India must be entrusted with the power to govern themselves. It may be asked who are the people of India referred to. They are the conscious part of India—a part that is steadily growing. It is not in accordance with the teaching of history that England should wait to transfer political power till the whole body of the Indian people is conscious. The same force by which the conscious part of India seeks and hopes to gain political power will also spread that power to the rest of India.

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The claim for Dominion status for India is based on justice as well as on the national demand. The strength of England's rule in India has been based not so much on her physical power as on her moral qualities. We believe that in the long run moral strength is more powerful than physical strength and that it is in the interests of England herself to satisfy the just aspirations of India.

The claim of the people of India to self-government has indeed been conceded by His Majesty's Government in the announcement made in the House of Commons by the Secretary of State for India on the 20th August 1917.

3. Working of Diarchy in Madras.

Diarchy was proposed by Montagu and Chelmsford partly as a training ground for political responsibility and partly as a test of political fitness. That the system was a hybrid and therefore clumsy and illogical was admitted. But such defects were considered not to be insuperable obstacles to trying a transitional system. The difficulties of the system were held to be compensated for by the minimizing of risks in the new experiment.

There are certain conditions necessary if diarchy is to work successfully. The Ministry has to be supported by a majority in the Council. There should be unity among the Ministers. There should be co-operation between the Ministry and the Executive Council. The powers of the Governor have to be exercised with tact and foresight. There should be a constitutional opposition ready to take up office if the Ministry fails.

In Madras, these conditions have been fairly satisfied. There has been considerable co-operation of the Reserved and Transferred halves of the Government and the inherent difficulties of diarchy were minimized by the tact and good sense of the Executive Councillors and Ministers under the guidance of the Governor. But the strain on co-operation under such difficult conditions and depending unduly on the personnel of the Government has been such that nobody from either half of the Government is in favour of continuing the system any longer. Diarchy intended to be transitional and experimental has served its purpose in the Provincial Government and should now be replaced by a unitary form of Government.

It is impossible to revert to the pre-Reforms type of Government. As already pointed out, it was the need for changing such a form of Government that led to the introduction of diarchy. If dyarchy is to go, the only alternative is full responsible government in the province. There is a strong volume of opinion in this Presidency, supported, we are glad to note, by the Madras Government, that all provincial subjects now reserved should be transferred. The only subject about the transfer of which there has been any appreciable difference of opinion in the country is that of Law and Order. In this Presidency there has never been an occasion when the Legislative Council did not give adequate support to the Executive Councillor in charge of Law and Order. The subject has been in charge of an Indian Councillor all through the period of the Reforms and it has nowhere been asserted that it has suffered from being so. In regard to the passing of Bills, in regard to the resolutions moved in the Council, in regard to adjournment motions, in regard to cut motions and in regard also to occasions when Law and Order were seriously threatened—e.g., the Mappilla rebellion and the Guntur civil disobedience campaign—the Council has not on a single occasion given room

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for the Government complaining as to lack of full support. The Madras Government have stated in their memorandum to the Commission that the Legislative Council "has rendered full assistance to the Executive in all measures intended to preserve the peace and order of the country." There can be no ground whatever for the apprehension that the Council will be any the less vigilant for the maintenance of law and order when the subject is in charge of a responsible Minister.

In regard to the work done by the Ministers in charge of transferred subjects, Madras has a good record if allowance is made for the short time they have been in charge and the financial difficulties they had to face soon after the war. There has been considerable progress in the working of Local Self-Government. District and taluk board sand municipal councils have been almost completely democratized and deofficialized. There has been a considerable growth of village panchayats elected under adult franchise. All these bodies have been given increased powers of taxation and expenditure. Local bodies have not been slow in tapping new sources of revenue and their revenues have generally kept pace with growing expenditure. The percentage of voters who have participated in elections has steadily risen. There has been steady progress in the domains of education, public health, sanitation and medical relief. Communications—particularly rural communications—have been extended. Fresh schemes of water-supply have been introduced. Free and compulsory education has been introduced in several areas. Adult schools and circulating libraries have largely increased. Special encouragement has been given to the depressed classes in regard to education, housing schemes and water-supply. As has been stated by an experienced Indian official, Diwan Bahadur T. Raghaviah, C.S.I., "If occasionally there is some inefficiency or financial dislocation, it is due to want of executive experience on the part of non-official presidents not armed with prestige and backed by a hierarchy of official subordinates and to the incomplete adjustment of the proper relationship that ought to exist between the executive staff of these local bodies and their non-official presidents. Inefficiency and slackness are also partly due to want of sufficient governmental supervision, scrutiny and advice. These defects are, however, non-essential and temporary and do not affect the soundness of the main structure. They are sure to be cured by time."

A survey of elementary education was undertaken. The areas which had no school were marked, efforts were directed to opening schools in them and with the means available, satisfactory progress was made. Secondary schools have been encouraged to introduce manual training. University education has been reorganized. It may be claimed on the whole that there has been steady advance in education in this Presidency.

Speaking in the House of Lords in July 1925, Lord Birkenhead as Secretary of State for India said thus: "In Madras the transitional constitution has worked with a great measure of success. Ministers have used their influence to steady public opinion and feeling and have displayed a general moderation and no small measure of statesmanship." We therefore feel justified in stating that this Province has worked diarchy as successfully as a transitional system of the kind can be worked and that satisfactory political capacity and organizing ability have been shown by the Ministers in charge of transferred subjects. Progress in the interest taken by voters

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in elections, in the political education of voters by their representatives and in the development of the party system in the Council and in the country has been encouragingly steady.

4. Working of the Central Government.

In the Central Government, there is at present a total absence of responsibility of the Executive to the Legislature. The Legislature has power to criticize the Government, but without real responsibility to get things done. The powers of certification of Bills possessed by the Governor-General are real and have been exercised on important occasions of a difference of opinion between himself and the Legislative Assembly. The distinction between votable and non-votable items of expenditure introduces a kind of diarchy, apart from the powers of certification in regard to votable demands. Fortified, as it is, by its real irresponsibility in regard to voted expenditure, the Assembly in discussing the budget and voting on demands is swayed by a feeling of irritation at being unable to control such large items of expenditure as that on defence. The relations of the Executive and the Legislature in the Central Government are such that none who desires constitutional progress can desire for their continuance.

The Government of India have large powers of superintendence, direction and control over the reserved subjects in provinces. When these subjects are transferred, such powers of control will partly be abolished, but will partly be converted into the emergency powers of the Provincial Governor which will naturally be subject to the control of the Government of India. The question whether the Central Government should continue irresponsible as now or should become responsible to the Legislature is relevant in regard to the extent to which responsible Ministers in the provinces would be willing to accept direction from the Central Government. To develop diarchy into provincial autonomy to be placed under the control of an irresponsible Central Government is to rear a child into a man but without a man's freedom.

If the Central Government be responsible to the Legislature, the orientation of administration in India is likely to be different from what it is. Decentralization—the transference of authority from the Central Government to other parts of the Government—is mainly demanded because it means the transfer of power from a part of Government which is responsible only to the Secretary of State to parts that are responsible to the people. The undue postponement of the introduction of responsibility in the Central Government may thus give an unhealthy permanent twist to the administrative organism. India would be willing to have a Central Government strong enough to maintain her as a nation, but this willingness is diminished if the Central Government is irresponsible. It is undesirable, therefore, to consider only the reform of Provincial Governments and leave alone that of the Central Government.

Again, responsible Government in the Province, i.e., in provincial subjects and irresponsible Government at the centre, i.e., in central subjects, together constitute a bigger form of diarchy than the provincial diarchy which is so universally condemned. Progress can be only towards an increase of responsibility in the governmental scheme of the country and not a decrease thereof. Measures that tend to increase responsibility, whether in the province or at the centre, tend to decrease the operation of diarchy on the whole and are therefore desirable.

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It has to be noted that the division of provincial and central subjects does not depend on a central subject being any the less vital for the well-being of the people of the province than a provincial subject. It depends purely on administrative convenience, i.e., on whether a subject can best be administered by the Government of a province or by the Central Government on a uniform plan for the whole country. If the principle of a democratic government is to be introduced, it is as necessary to introduce it in regard to central subjects as in regard to provincial subjects.

5. Working of diarchy in other Provinces.

We have generally followed the political progress of other provinces. It is generally admitted that dyarchy has been worked successfully in a majority of the provinces. The particular success of Madras and the Punjab is mainly due to the fact that the Non-Brahman Party in Madras and the Moslems in the Punjab were willing to work diarchy. The difference between these two provinces and the rest of India is based not on a difference in political ability, but on a difference in the willingness to work the particular method of diarchy. These two provinces show that the existence of communal differences are not a bar to political progress in a province. We assert that Madras is to be taken not as an exception, but as a specimen of what any province in India can do if it had an agreed constitution to work. The success of diarchy in Madras and elesewhere is evidence of the general fitness of the country to work a political constitution which receives the general acceptance of the people.

6. Place of India in the Empire.

The Secretary of State, whether by himself or in Council, has control of the expenditure of the revenues of British India and has general powers of superintendence, direction and control. He controls the services in India. The budget proposals of the Government of India and particularly those affecting taxation must receive his previous approval before introduction in the Legislature. He controls the policy in regard to exchange and currency, the Gold Standard and Paper Currency reserves and all borrowing operations in London. All questions of general Railway policy are under his superintendence. His control over foreign and military affairs is supreme.

India, though an original member of the League of Nations, is still a dependency under the full control of the Secretary of State for India who is the spokesman of the British Parliament. Doubts have been raised in certain quarters whether the policy of His Majesty's Government announced in August 1917 amounts to a declaration that the status of a dominion in the British Commonwealth is to be India's accepted goal. There is no justification for such doubts because the introduction of democracy necessarily involves the lessening of other than popular control. If India is to have full responsible government, control by the Secretary of State should be minimized in the same manner as in the case of the Dominions.

7. Political changes needed.

After a careful consideration of all the facts before us, we recommend the following steps to be taken immediately :—

(1) The grant of provincial autonomy or full responsible government.

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(2) The establishment of responsible government in all the civil departments of the Government of India, that is, in all departments except those dealing with Defence, Foreign relations and relations with Indian States.

(3) A declaration by the British Government that full Dominion status in the British Commonwealth of Nations is accepted as the goal of India to be achieved in a reasonably definite period and that the automatic achievement of such status in such time will be brought about by the provision of adequate means for the Indianization of the army and other forces of defence.

There has been a certain amount of doubt expressed as to what "provincial autonomy" means. As has been pointed out by Sir P. S. Sivaswami Ayyar in his "Indian Constitutional Problems," it means the self-government of the people in the province and therefore implies responsible government. It also means freedom from external control, but this within defined limits, for a Provincial Government is necessarily correlated with a Central Government and the relation between the two should imply a measure of authority on the part of the latter over the former. What is now demanded is that responsibility should not be limited to a part of the provincial sphere of government, but should be extended to that sphere in full and that the limits within which the Provincial Government is independent of the Central Government should be definitely laid down. The present division of provincial and central subjects is reasonable and should continue.

In regard to the Central Government we believe that the control of the civil departments by a popularly elected legislature to whom the executive should be responsible is essential if India is to make economic progress. Control over Customs, Railways, Shipping, Banking and Currency and Exchange, if it continues in the hands of an irresponsible Central Government, however justly they may act, will breed irritation and suspicion on the part of the people. These economic departments of the Central Government are of vital importance to the people of India in all the provinces. The appalling poverty of the people, the large amount of unemployment among the educated classes and the comparatively small return India gets from her enormous natural resources, all demand that control over the economic life of India should be transferred to the people of India. In these departments no religious or caste differences can have any effect. Whatever may be the form of administrative or constitutional changes in the country, there can be no substantial progress unless the changes tend to advance the economic welfare of the people which is the primary concern of government. Indeed, if self-government in India is to be real, it should begin with the work of economic reconstruction. Autonomy only in the subjects that are now classed as provincial will be like the husk without the grain which control over economic life can alone provide. Even if it happens that in some of the provinces the subject of Law and Order continues to be reserved, all other subjects being transferred, this will not interfere with our proposal for the immediate transfer of the "civil" departments of the Government of India as the central subject of Defence which is connected with the provincial subject of Law and Order will, under our proposals, be administered for a time under the present arrangements.

It is alleged that India cannot defend herself and therefore cannot be entitled to Dominion Status. The fact is that India is defended largely by

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Indian soldiers and entirely out of Indian money. It is in spite of the repeated demands of Indians and in order to meet the needs of British Imperial strategy that the army is officered mainly by Englishmen and a large British force is kept in India. As seen from the evidence placed before us and as observed in "The Indian Constitutional Problems" by Sir P. S. Sivaswami Ayyar, the military policy of India has never yet been considered from the view point of the legitimate needs of India. It is not fair that England should first omit to make India militarily self-sufficient and then use her own omission as an argument against giving her Dominion Status. The unanimous recommendations of the Skeen Committee have been turned down by the Government of India, presumably at the behest of the Secretary of State. The Skeen Committee have shown that it is not the lack of material, but wrong methods that have stood in the way of Indians coming forward in adequate numbers to serve as officers in the army. It is alleged that Indians lack the qualities necessary for leadership in the army. In the Great War, however, Indian non-commissioned officers readily took the place of fallen British officers and the available evidence shows that they acquitted themselves well. Leadership requires opportunities for development and Indians have been practically kept out from such opportunities. Leadership requires not only courage but also intelligence, but Indians with intelligence have hardly been given a place in the army through recruitment being limited to particular classes and to subordinate positions. Indians, whether as officers or as soldiers, have been excluded from the technical and scientific sections of the army. Recruitment to the volunteer corps has been practically restricted to Europeans and Anglo-Indians. It is not the lack of desire or ability on the part of India, but the policy of Britain that is responsible for the fact that India, though it supplies all the money and most of the soldiers, is yet not self-sufficient for purposes of defence.

It seems to us that the contention that Englishmen would not like to serve as officers in the army under Indian superiors is not tenable. We believe that the Englishmen who serve in the Indian Civil Service and other civil services generally are not less proud of their race than those who serve in the army. If the former can serve under Indian direction, there is no reason why the latter should not. It is certainly undesirable that the British officers now serving in India should suddenly depart, leaving her in the lurch. We do not, however, believe that they will leave the task which they have undertaken as it is against the traditions of the services in India to do so. Besides being recruited as officers, Indians should be admitted to the artillery and the other branches of the army from which they are now excluded. As regards the Navy, the self-governing Dominions of the British Commonwealth have not taken up in full the obligation of defending themselves by sea and India may, for the present, remain in the same position. To create a reserve of military strength as well as to give military training to a large number of people, the recommendations of the Auxiliary Forces Committee should be fully carried out. As these measures are put into force, it will be possible gradually to replace the British units of the army in India by Indian units.

If and when control over the army and other forces of defence is transferred to a responsible Government in India, the problem of the Indian States will, we believe, be solved without much difficulty. A powerful democracy in British India is sure to be respected by the Indian States which are cattered over India and suitable relations will automatically spring up.

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We have given shape to the national claim for democracy in India in the light of practical considerations. We believe that the recommendations which we have made as to the steps which may be immediately taken are such as will give satisfaction to the people of this province and of India generally.

We shall now proceed to make detailed proposals for carrying out our recommendations.

PROPOSALS.

(a) Provincial.

8. Franchise.

At present the percentage of rural voters to rural population is 3·2 and that of urban voters to urban population is 6. It may be noted that the urban constituencies include only certain large towns and not all the areas which may be called urban. The average number of voters represented by each member of the Legislative Council is 20,000 in rural non-Muhammadan constituencies, 5,000 in rural Muhammadan constituencies, 5,000 in urban non-Muhammadan constituencies, 2,500 in urban Muhammadan constituencies and 4,500 in Indian Christian constituencies.

We are not in favour at present of an extension of the franchise to all adults which will raise the electorate from about 1½ to 23 millions. An electorate based on adult franchise will, under the present economic and educational conditions, lead to the vote being exercised largely by persons lacking in political experience and ability. The administrative difficulties of dealing with such a large electorate are also great.

There are then two alternative methods of dealing with the franchise. The first is to leave the franchise as it is and give the Legislative Council power to alter it according to requirements. The percentage of the population that had votes in England was 3 in 1832, 9 in 1868 and 16 in 1884. Our present franchise need not therefore be unfit to be the basis of a democratic Government. Just as the Council had the power to give votes to women and did give them, the Council may well be given the power to extend the franchise as and when it thinks fit. The second alternative is to lower the franchise to half its present level. It has been calculated that such a lowering of the franchise will roughly double the electorate, i.e., raise it to about 6 per cent of the population. In this province, with the family continuing largely as the unit of society, we may consider that 42 million people are divided roughly into 8 million families at the rate of 5 people to a family. Eight million family groups wielding about 2½ million votes will mean a large advance over the present position.

The Committee is in favour of the first alternative with the exception of Mr. Siva Rao who prefers the second. But if the Commission feels that an immediate broadening of the basis of franchise should accompany an increase in the powers of the Legislature, the Committee would recommend the second alternative.

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9. ELECTORATES AND CONSTITUENCIES; STRENGTH AND TERM OF COUNCIL.

There is a demand for less unwieldy constituencies than is the case at present. At the same time the strength of the Council cannot be unduly increased. We would therefore raise the strength of the Council to about 150 on the existing franchise and 200 if the franchise be lowered.

It is admitted generally that officials need not continue as members of the Council and that nomination of others as members should be reduced to a minimum. We propose therefore that the official *bloc* be abolished, the nomination of experts, whether official or non-official, being permitted for special purposes.

As regards the communal electorates for Muslims and Indian Christians, we are quite aware that such electorates are undesirable on principle. But as practical men we cannot fail to recognize that rightly or wrongly the feeling is practically unanimous among the Muhammadan population that their interests would be served only by the continuance for the present of their special electorates. The feeling among the Indian Christians, while not so unanimous as among the Muslims, is still strong in favour of a similar continuance. We feel that any change in this system of communal electorates can be made only with the consent of the communities concerned. We therefore recommend that the existing communal electorates for Muslims and Indian Christians as also for Europeans and Anglo-Indians be continued for a time on the basis of the proportions obtaining in the present Council. Mr. Khalif-ul-lah and Mr. Thomas hold that voters of their communities should also be included in the general electorate without the right to stand as candidates.

The depressed classes cannot be returned in sufficient numbers by the general non-Muhammadan electorate in which they are now included. We have considered whether special electorates can be formed for these classes. The number of electors belonging to them is only 4 per cent of the total number of electors on the existing franchise. It may be possible to form some urban constituencies—a possibility which requires investigation. But considering the seats that can be allotted to the depressed classes, their constituencies are generally bound to be unduly large. With the low level of education and wealth among them it will be very difficult for candidates to get into touch with their constituencies. Representatives of the depressed classes are in favour of an element of election at some stage. We therefore propose that panels of candidates to the extent of twice the number of members required may be elected by recognized associations of the depressed classes in the different districts and that the members to be returned to the Council should be selected by the Governor from the panels. Mr. Siva Raj is of opinion that the number of seats to be allotted to the depressed classes should be on the population basis and that their members should be eligible for places in the Ministry.

We also recommend the continuance of the special representation for commercial interests, the nagarathars and planters. As regards landholders, the Committee feels that the landholders have weighty interests in the Presidency and that their interests are likely to be in conflict with the interests of their tenants who find a large representation in the Council and therefore recommend that special representation for the landholders should be continued. Mr. Siva Rao is against such special representation.

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We are in favour of special representation for the Universities. The majority of us are for election being by the Senates of the three Universities, but Mr. Siva Rao and Mr. Siva Raj are in favour of the election being, as now, by registered graduates.

We feel that no separate representation of agricultural labour is necessary in this Province as a large proportion of such labourers are cultivators and are thereby included in the general electorates. Industrial labour is not at present sufficiently organized to be separately represented.

The reservation of seats for non-Brahmans in Madras has been found to be unnecessary. Their representatives are of opinion that it may be abolished. It may be so done.

As regards the formation of constituencies, we are in favour of single-member constituencies provided they are arranged so as to avoid preponderance of one community in any particular constituency. One non-Muhammadan rural constituency may be provided for about 12,000 to 15,000 voters. The number of voters for other constituencies may be correspondingly determined.

We recommend that the term of the Council may be fixed at five years at the present period of three years is felt to be unduly short.

10. TRANSFER OF RESERVED SUBJECTS.

The evidence before us conclusively proves that in this Province the immediate constitutional change to be made is the change to full responsible government. It has, however, been urged that, in order to meet the special conditions of a few provinces who would like to wait some time before transferring Law and Order, all subjects except Law and Order may be statutorily transferred and that Law and Order may be transferred in a province if the Legislative Council by a stated majority, votes in favour of it and the resolution is sanctioned by the Governor-General. Such a provision will mean that unless the large minorities in a province are satisfied as to the good faith of the majority, the transfer of Law and Order cannot take place. The difficulty as to the transfer of Law and Order, however, does not arise in the case of a majority of the provinces including Madras.

11. FORMATION OF THE EXECUTIVE.

We propose that the executive power in the province be vested in the Governor acting with a Cabinet of seven Ministers of whom one, the Chief Minister, may be selected by the Governor and the rest appointed by him on the recommendation of the Chief Minister. The Ministers will be jointly responsible to the Council and should resign if a no-confidence motion against them is carried by a majority of the total strength of the Council. The Chief Minister will be the President of the Cabinet and will have power to allot portfolios. The Finance Minister will have the present powers of the Finance Member of Government.

Powers of the Governor.

The existing powers of the Governor in regard to legislation may be continued with the exception of power under section 72-E of the Government of India Act which relates to reserved subjects and may be abolished with

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the abolition of reserved subjects. In regard to financial matters arising in the Legislative Council, the existing powers of the Governor may continue with the exception of power under section 72-D (2) (*a*) of the Act which relates to certification of demands relating to a reserved subject and may be abolished as a result of the abolition of reserved subjects. In regard to administration, we propose that the Governor should have, in relation to the Ministry, the powers which he now has in relation to the Executive Council under section 50 (2) of the Government of India Act. He will have power to make rules for the transaction of business, as now under section 49 (2) of the Act, after consultation with the Ministry. He will dissolve the Legislative Council when he deems reference to the electorate necessary. Where Ministers cannot be appointed or cannot continue, the Governor will have the power to take over administration temporarily pending a re-election of the Council and exercise the powers of the Ministry. He will be the interpreter of the constitution. He will be the agent of the Central Government. In virtue of his powers he will be in a position to safeguard the interests of minorities, services, etc., as he may be required to do in an Instrument of Instructions issued to him by the Sovereign. In emergencies he will have power to order administrative action to be taken which is necessary for the peace and tranquillity of the province.

It will thus be noted that the Governor will have emergency powers for the maintenance of peace and tranquillity in regard to legislation, finance and administration. The maintenance of peace and tranquillity may, in the last instance, involve the use of the army which is under the control of the Government of India. Under our recommendations, the Governor will have power to take such action as is possible which will obviate the necessity for the use of the army. The personal powers of the Governor as agent of the Central Government are subject to control by the Governor-General in Council and if, in the opinion of the Government of India, the use of the army can be avoided, they can order necessary action to be taken by the Governor. Thus there will be no question of the army being used in a province without the concurrence of the Government of India.

It may be said that these provisions place too heavy a responsibility on the Governor. We believe, however, that the good sense of the Legislative Council and the Ministry will rarely require the emergency powers of the Governor to be used and that the Governor will be wise enough to use them properly or that he will be directed by the Government of India to do so. We are supported in this belief by our experience of the past ten years.

12. Second Chamber.

It has been urged on the one hand that there should be a check provided in the form of a second chamber against hasty legislation by the Legislative Council and for the more effective representation of minorities and of men of ripe experience. As against this it has been said that the provision of a second chamber may lead to cumbrousness in the machinery of Government, that there are no interests in the province which will fail to be represented in the Legislative Council and that the powers of the Governor will provide adequate safeguards for all interests. In the opinion of the Committee, the balance of advantage, however, is in favour of a second chamber, the constitution and functions of the chamber being tentatively similar to those of the Council of State and the strength of the chamber not exceeding fifty. Mr. Siva Rao does not agree with the proposal.

13. SERVICES.

Under the Lee Commission's recommendations, the services in transferred departments of a province should be provincialized. If all provincial subjects are transferred, the question arises whether the All-India services dealing with subjects now reserved should be provincialized. The Madras Government have recommended that they should be and have stated reasons for their position. The majority of the Committee agrees with this view. Sir A. P. Patro, while he is in accord with the general principle that the machinery with which the provincial administration is to be carried on should be under the control of the Provincial Government, agrees with the view expressed by Diwan Bahadur T. Raghaviah and the reasons given in his evidence and holds that the Indian Civil Service and the Indian Police Service should be treated as All-India Services because in regard to these key services there should be recruitment on an All-India basis. Though they should be under the control of the Provincial Governments, the Central Government should be the ultimate authority for appeal. Sir A. P. Patro feels that if India is to continue as a political unit, there should be a common administrative life flowing through the centre and the provinces. While he is for provincial autonomy in subjects of provincial concern, he does not envisage India as merely a cluster of political units.

For the Provincial services, we consider that there should be a strong and independent Provincial Public Service Commission. We had evidence before us that all communities are not adequately represented in the public services and that steps should be taken by the Government to remove inequalities. There is a Bill pending before the local Legislative Council which will deal with the matter so far as this Presidency is concerned.

14. LINGUISTIC DIVISION OF THE PROVINCE.

There has been agitation for several years for the formation of provinces on a linguistic basis from the Oriya, Andhra and Karnataka areas. We recognize that strong opinions are held on this question among the people concerned. We have heard a deputation from the Oriyas. A Sub-Committee was appointed by the Statutory Commission. We do not know how the matter has been dealt with by that Committee. The Government of India and the Provincial Governments concerned have pointed out difficulties in regard to the finances of the proposed provinces and these have not yet been solved. We are not able to make any recommendation at present as regards the formation of these provinces. The subject requires further investigation.

Agency tracts.

We consider that the present system may continue but with the administration in the hands of the new Provincial Government.

(b) Central.

15. ELECTORATES FOR THE ASSEMBLY AND THE COUNCIL OF STATE.

We recommend that the present franchise be retained. Separate electorates may continue for the present for Muslims. For Indian Christians, election through separate electorates should be substituted for nomination.

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Nomination for the depressed classes should continue. Provincial Legislatures should elect a proportion of the elected members of the Legislative Assembly and the rest should be elected by the general and communal electorates.

The strength of the Assembly may be fixed at 200 to 250 and its term at five years.

The position as regards the Council of State may continue as at present.

16. Responsibility in the Central Government.

We recommend that the Governor-General be in charge of the Foreign and Political Departments and that the Commander-in-Chief be in charge of Defence. All the other subjects should be in the charge of a Cabinet consisting of Ministers responsible to the Legislature.

The Ganjam District People's Association has made the proposal that the Central Cabinet may consist of officials or experts besides non-official members of the Legislature, but that they should all be responsible to the Legislature. When a Ministry falls, official members revert to their official positions and experts retire with the terms of their contracts duly fulfilled by the Government. The majority of the Committee does not agree with this proposal.

A reasonable amount may be fixed based on the average of the previous few years for the annual expenditure on defence and on the Foreign and Political Departments. For a given period, a sum not exceeding this amount may annually be expended for these purposes without the sanction of the Legislature. The Governor-General will have power to expend an excess amount when necessary by placing a demand before the Legislature and, if it is not passed, certifying it in the interests of peace and tranquillity or of good government.

The present powers of the Assembly to discuss the policy of the Government as regards defence should continue. In regard to normal expenditure, this system will not correspond to that of "Provincial Dyarchy" as the demand for expenditure on defence and on the Foreign and Political Departments is not to be voted on by the Legislature, whereas the expenditure on provincial reserved departments is so voted on. Even if it be considered that there will be dyarchy in virtue of the voting on the excess, if any, over the normal expenditure, we hold that there is no objection to the temporary introduction of dyarchy in the Central Government. Further we have already pointed out that the introduction of even partial responsibility in the Central Government amounts to a diminution of the area of dyarchy in the whole scheme of Government, Central and Provincial combined.

17. Powers of the Governor-General.

The present powers of the Governor-General in regard to Provincial Legislative Councils in respect of legislation will continue. In regard to the Central Legislature, his powers of previous sanction and veto will continue. He will have power to certify Bills essential for the safety and tranquillity of British India. His powers under section 67 (2) (*a*) of the Government of India Act, whereby he may certify that a Bill or amendment affects the

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safety or tranquillity of British India and prohibit further steps being taken, will continue. He will have power to make ordinances for maintaing peace which will be in force for six months. In regard to Finance, no proposal for appropriation of revenue will be made except on his recommendation. The Governor-General may order in emergencies expenditure necessary for safety and tranquillity or good government. We make these proposals for the transitional stage before the attainment of Dominion Status.

18. Defence of India.

We recommend that immediate action be taken on the lines of the Skeen Committee so as to have the Defence forces officered mainly by Indians in the period set for the attainment of Dominion Status for India. More than one Indian Sandhurst should be opened to train Indian officers.

We are strongly of opinion that the recruitment to the army should not be limited to a few provinces, but should be thrown open to all provinces with a quota for each province. The recruits from different provinces need not, however, be kept separate. Recruitment to officerships should be open to all classes.

19. Indian States; Foreign Relations.

Till the control over defence is transferred to the Legislature, Foreign relations and relations with the Indian States will continue in the charge of the Governor-General. But when the Legislature is in control of Defence, we hold that the present status of the Government of India in regard to the Indian States should be vested in the responsible Government of India. Indian States lying scattered alongside the powerful democracy of British India will not find it in their interests to do otherwise than seek friendly adjustments with British India. We believe that India will in time form a federation in which the Indian States will find their due place though they can be brought in only with their consent.

(c) Relation of Central and Provincial Governments.

20. General.

We hold that residuary powers should vest in the Central Government on the model of the Canadian constitution. England has, for the first time in Indian History, built up a strong central government and this feature should be continued.

Legislative.

The present division of provincial and central subjects is satisfactory and should be retained.

In regard to previous sanction for legislation, the Madras Government have stated that " the Governor-General has laid it down as a rule of practice that his previous assent will not be withheld except in cases where the proposed Bill trenches on the central sphere or where its discussion would in all reasonable probability lead to a disturbance of the public peace " and proposed that " statutory expression should be given to these limitations." We support this proposal.

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Financial.

This question has been dealt with fully by the Madras Government in their memorandum and we are in agreement with their position. This province suffered unduly at the beginning of the operation of the Meston Settlement by the large contributions which had to be paid to the Central Government, but justice, though belated, has now been done with th abolition of provincial contributions. If the Meston Settlement is to be revised, there should be no loss to any province of the revenues which it now enjoys.

Administrative.

The Central Government's powers of superintendence, direction and control over Provincial Governments will be the same in regard to all provincial subjects as they are now in regard to transferred subjects. If the constitution breaks down in a province, the Governor-General in Council will have power to suspend the constitution and carry on the administration through the Governor. The position of the High Courts will continue as at present.

The majority of the Committee is of opinion that there should be separation of executive and judicial functions so as to secure an independent judiciary and improved administration of justice.

(d) Secretary of State for India and Parliament.

21. Relations with Indian Governments.

In relation to Provincial Governments, the powers of the Secretary of State will be those he has at present in regard to transferred provincial subjects except that his powers of safeguarding the administration of central subjects will be limited to the administration of Defence and Foreign relations and relations with Indian States and that necessary modifications will be made in regard to his powers in dealing with the Civil Services in India.

In relation to the Central Government, the Secretary of State's powers of intervention in regard to transferred central subjects may be modelled on the lines of the Central Government's powers in relation to transferred provincial subjects.

The Secretary of State's Council may be immediately abolished. We look forward to the powers of the Secretary of State for India being reduced to those of the Secretary of State for Dominions.

22. Provision for further changes in constitution.

Under the Government of India Act, the Parliament makes changes in the Indian constitution periodically. The Montagu-Chelmsford Report proposes the examination of the working of the Indian constitution once every twelve years. We propose that the constitution to be now framed should provide for automatic growth in the provinces and at the centre by the decisions of the Provincial and Central Legislatures with suitable checks such as a high majority vote in the Legislature and the power of veto vested in a superior authority. Periodical examination of the political condition of India is irritating and interferes with healthy growth. Aconstitution left to

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be worked and grown by India is likely to develop according to the genius and needs of India. Such an elasticity is also in keeping with the genious of British constitutions.

23. Conclusion.

We have sought to envisage the whole relation between England and India. We feel that Montagu and Chelmsford saw truly when they felt ten years ago that a crucial change in that relation was needed. The need has become even more pressing now. If after long years of tutelage under England, India is unable to be at least as self-reliant as other Asiatic States, that tutelage will have been in vain. Faith and courage are needed to let India stand on her own legs and learn, if need be, by mistakes. The longer India is prevented from doing so, the worse will be her condition. From the point of view of England, she has given to India the gifts that are in her power to give. If India is allowed to live her own life, she will feel not only gratitude to England for the past but also affection for her in the future.

To bring about this change of relationship, we have made detailed proposals of the changes immediately needed. We are confident that the British Parliament will appreciate the Indian national sentiment and respond wholeheartedly to the wishes of the people of India.

This Committee wishes to express its appreciation of the valuable services rendered to the Committee by Mr. S. V. Ramamurti, I.C.S., as Secretary of the Committee who has willingly placed at its disposal his knowledge and experience as district officer which have proved a source of great help to the Committee.

A. P. Patro, *Chairman.*

S. Kumaraswami
S. Kristna Yachendra (Kumararaja of Venkatagiri)
P. Khalifullah
Daniel Thomas
P. Siva Rao
N. Siva Raj
} *Members.*

S. V. Ramamurty,
Secretary.

2nd June 1929.